











E - 24 - 3

6 - 7

















THE RIGHT HONORABLE

RICHARD LALOR SHEIL M.P.

*Facsimile of a Pencil Sketch taken in 1825 by S. Catterson Smith of Dublin.*

LIBRARY  
HISTORY

# SKETCHES

OF

# THE IRISH BAR

BY THE RT. HON.

RICHARD LALOR SHEIL, M. P

WITH MEMOIR AND NOTES

BY

R. SHELTON MACKENZIE, D.C.L.

IN TWO VOLUMES.

VOL. I.



REDFIELD

34 BEEKMAN STREET, NEW YORK

1858

---

Entered, according to Act of Congress, in the year 1854

By J. S. REDFIELD,

in the Clerk's Office of the District Court of the United States, in and for the Southern  
District of New York.

---

---

STEREOTYPED BY C. C. SAVAGE

13 Chambers Street, N. Y.

---



DA951

D543

## CONTENTS OF VOL. I.

V. 1

MEMOIR OF MR. SHEIL.....	PAGE 5
AUTHOR'S INTRODUCTION.....	17

## AN IRISH CIRCUIT.

Going Circuit.—The South of Ireland.—Rules of Legal Travelling.— An Approver.—Lord Avonmore.—An Irish Assize Town.—Larry Cro- nan's Trial.—O'Connell's Success with Juries.—Trial of John Scanlan for Murder.—Was he executed?.....	19
--	----

## HALL OF THE FOUR COURTS, DUBLIN.

O'Connell, Bushe, Lord Plunket, and H. D. Grady.—Curran.—Lord Clare. —Serving Writs in Connaught.....	58
--	----

## DANIEL O'CONNELL.

In his Study, in the Four Courts, at a Popular Meeting, at a Public Din- ner.—His Personal Appearance.—Merits as a Nisi-Prius, and Crown Lawyer.—Influence with Juries.—As Catholic Leader.—Duel with D'Esterre.—On Circuit.—In Parliament.....	73
--	----

## LORD PLUNKET.

His Origin.—Conviction of the Sheareses.—Trial of Robert Emmett.—His Intellectual Supremacy.—Style of his Oratory.—Personal Appearance. —In Parliament.—His Catholic Politics.—Grattan.—Raised to the Bench.—Appointed Lord-Chancellor.—His Enforced Resignation....	98
---	----

## CHIEF-JUSTICE BUSHE.

Descent.—The Historical Society.—An Anti-Unionist.—Solicitor-General. —Catholic Board.—Aspect, Voice and Gesture, as an Orator.—His Conversation, Wit, and Eloquence.—Is made Chief-Justice.....	121
--	-----

## ATTORNEY-GENERAL SAURIN.

Huguenot Descent.—Lord Clonmel.—Business Habits.—Opposes the Union.—As Attorney-General.—Anti-Catholic Politics.—Loss of Office. —Department and Aspect.—Skill as an Advocate.—Distaste for Letters.	150
--	-----

## CHIEF-BARON JOY.

His Tory Politics.—Sympathy with Saurin.—Bar Advancement.—Is made Solicitor-General.—His Legal and Scientific Attainments.—Skill at Cross-Examination.—Character as a Judge.....	170
--	-----

3301

## CALAMITIES OF THE BAR.

An Unfortunate Lawyer.—Tragic Scene.—Lord Manners.—The French Bar.—Trippier, the Parisian *avocat*.—The Lawyer's Progress.—“MacDougall of the Roar.”—Pomposo, a Sketch from Life.—Monks of the Screw.—Jerry Keller.—Norcott, the Renegade, and his Fate. . . . . 186

## CHIEF-JUSTICE LEFROY.

A Saintly Lawyer.—O'Connell on Catholic Education.—Lefroy in the Chancery Court.—Captain Rock in Limerick.—Raised to the Bench. . . 216

## MR. SERGEANT GOOLD.

An Amirable Crichton.—Sows his Wild Oats.—Edmund Burke.—Goold's Nisi-Prius Practice.—His Vanity.—Opposes the Union.—Sir Jonah Barrington.—Goold's Election Evidence.—Is made Master in Chancery. 232

## MR. NORTH, JUDGE OF THE ADMIRALTY COURT.

Brilliant University Career.—At the Bar.—Irish Eloquence.—Comparative Failure in Parliament.—Neutrality in Politics.—The Bottle Riot. . 252

## MR. WALLACE.

Professional Progress.—High Repute in Jury Cases.—License of the Bar.—Catholic Meeting.—Grattan's last Public Appearance. . . . . 269

## WEXFORD ASSIZES.

The Leinster Circuit.—Archbishop Magee.—Bishop Elrington's Anti-Necromantic Movement.—Irish Peasant-Girls.—A Pic-Nic Excursion.—Massacre on the Old Bridge of Wexford.—O'Connell's Triumphal Entry.—Chief-Justice Bushe and Judge Johnson.—Trial of Father Carroll: Monomania. . . . . 287

## CHIEF-JUSTICE DOHERTY.

As an Advocate, and Crown-Lawyer.—Judges Perrin and Crampton.—Lord-Chancellor Manners' Inefficiency.—George Canning's Career.—Doherty *versus* O'Connell.—Raised to the Bench.—Declines a Peerage. 311

## THE DUBLIN TABINET BALL.

“The Liberty” of Dublin.—An American Marchioness.—Lord Wellesley as Bridegroom and Viceroy.—Sir Harcourt Lees.—“Ireland's only Duke.”—Lord Edward Fitzgerald.—Lady Morgan.—The Younger Grattan.—Curran.—“The Tenth.”—An Irish Hebe. . . . . 328

## CATHOLIC LEADERS AND ASSOCIATIONS.

Confederates of 1642.—Enactment of the Penal Laws.—Catholic Committees.—Wolfe Tone and John Keogh.—O'Connell's first Appearance.—Denis Scully, and Æneas M'Donnell.—Lords French, Fingal, and Killeen.—Doctor Drumgoole.—George IV. in Ireland.—Catholic Association founded.—Bishop Doyle and the Sorbonne Doctors.—Archbishops Troy, Curtis, and Murray.—Bishop Kelly. . . . . 359

## MEMOIR OF MR. SHEIL.

---

RICHARD LALOR SHEIL, author of "Sketches of the Irish Bar," was born at Waterford, in Ireland, in the year 1793. He died at Florence, where he was British Minister, on April 25, 1851, aged fifty-eight.

His father, who had been a merchant at Cadiz, retired on a competence, which enabled him to purchase an estate in the county of Waterford. Returning to mercantile pursuits, he was unfortunate, and died, leaving his sons little more than the means of perfecting a liberal education. One of these sons was Colonel Justin Sheil, yet surviving, who, for several years, was British Ambassador to Persia.

Like O'Connell, who was nearly twenty years his senior, Sheil was originally intended for the Catholic Church. At an early age, he was sent to a Jesuit school at Kensington, near London. He was subsequently removed to Stonyhurst, in Lancashire, whence he went to Trinity College, Dublin, with a competent knowledge of the classics, some acquaintance with Italian and Spanish, and the power of speaking and writing French, as if it were his mother-tongue. His taste for literature and his facility for rhetorical composition were early developed. In the University he won several classical prizes, and was acknowledged to surpass most of his fellow-students in general acquirements. He was a constant and favorite speaker in the celebrated Historical Society (the cradle of Irish eloquence at the time), where the brilliancy and force of his rhetoric always commanded admiration and applause.



Then, as ever after, his oratory consisted of more than flowing sentences, for he generalized and applied facts, with rare and remarkable felicity. He graduated before he was twenty years old, and his college comrades prophesied that his career would be distinguished.

At this time, and for a few years preceding, he floated on the surface of Dublin society. Small in stature, slight in figure, and eminently vivacious in manner and deportment, he came into society, almost a boy—as Moore had done, some fifteen years earlier—and, like Moore, he gave rise to sanguine anticipations. It was a doubt whether he would subside into a poet or an orator, but every one saw and said that he was marked for distinction. There were great men in Dublin at that time: Plunket, with unequalled powers of eloquence and reasoning; Bushe, silvery-tongued as Belial, but full of captivating amiability; Goold, imbued with a charming *amour propre*, which made you like, while you smiled at the man; O'Connell, in the full strength of youth and power, storming his way to the head of his profession; North, the college rival and friend of Sheil, whose maturity did not fulfil the promise of his youth; Wolfe, afterward Chief-Baron, with the kindest and truest heart throbbing in a gnarly case; and others, more or less distinguished, then or since. At that time, too, Grattan and Curran were the ornaments of intellectual life in Dublin; full of reminiscences of the Volunteers in 1782, and the Reign of Terror in 1798.

It was natural that, amid such men, Sheil, young, ardent, and highly-gifted, should set up a high standard of excellence, to which to direct his own ambitious strivings; and that “Excelsior” should be to him, as to all who worthily aspire, at once a motto and a monitor.

He was barely twenty when, in 1813, he made his first plunge into public and political life. There were divisions among the Irish Catholics then. One section, aristocratic and moderate—who, rather than the clanking should offend the “ears polite” of their rulers, would willingly have wrapped their fetters in velvet—desired to give the British government a Veto on the appointment of the Catholic Bishops, provided

that Emancipation were conceded. The other, democratic and bold, denounced all compromise. Sheil attached himself to the first, while O'Connell headed the latter. Both Tribunes of the People were able and eloquent—but the man, O'Connell, prevailed over the boy, Sheil, and the latter quitted the field, for a time.

In 1814, at the age of twenty-one, Sheil was called to the Irish Bar. His youth was against him, of course. His predilections were in favor of literature, and, for several years, his contributions to the London magazines afforded him the chief means of subsistence. He wrote for the stage, also—excited by the brilliant genius of Miss O'Neil, the Irish *tragédienne*—and his play of “Evadne” still retains a place in the acted drama, by reason of its declamatory poetry and effective situations.

On the Leinster Circuit, Mr. Sheil had to contend (strange as it may appear), with his previous reputation as an orator—for a good point at law is considered better, on account of its weight with the judge, than a brilliant speech, intended to win the verdict of a jury. At the bar, it must be confessed, Mr. Sheil never attained the highest distinction. His legal knowledge was limited, as respects depth and extent. In criminal cases, his eloquence often prevailed with juries, and, as he gradually reached seniority, he also obtained leading briefs at Nisi-Prius. In the Four-Courts, where the metropolitan practice takes place, Sheil eventually came to be considered a passable general lawyer.

In 1823 (as related by himself in the article on Catholic Leaders), he joined with O'Connell, in establishing the Catholic Association, which literally became a sort of *imperium in imperio* in Ireland. In this body, both leaders spoke earnestly and well. O'Connell's rôle was to insist on “Justice for Ireland,” Sheil's to cast contempt and ridicule upon what was called Protestant Ascendency.

In 1825, both leaders (“*Magnâ comitante catervâ*”), went to London, as part of a deputation, at the time when, the suppression of the Catholic Association becoming a government preliminary, Emancipation—clogged with “the wings,” viz,

disfranchisement of the forty shilling freeholders, and state-payment of the Catholic clergy—would have been granted, but for a speech from the Duke of York, heir-presumptive to the throne, in which he made a solemn vow to Heaven, that he would never accede to the concession.

At the general election of 1826, when Lord George Beresford's almost hereditary claims to represent Waterford county in Parliament, were unexpectedly contested by Mr. Villiers Stuart, a retainer to act as counsel for Lord George, was accepted by Mr. Sheil. There was some dissatisfaction, at the time, among the Catholics, at one of their ablest and most trusted leaders acting for a candidate of opposite politics; but O'Connell frankly and publicly did him the justice of saying, that, as a lawyer, Mr. Sheil was, in a manner, bound to act for whoever employed him. As there never was a question of the ability with which he performed his duty on that occasion, so was there never a belief that, in such performance, Mr. Sheil compromised his own principles, or those of his party. The election—thanks to the very forty-shilling freeholders, to whose disfranchisement (as part of the price of Emancipation), O'Connell would have consented, in 1825—ended in the defeat of Mr. Sheil's noble and anti-Catholic client.

The death of the Duke of York, the sworn opponent of the Catholics, took place in 1827, and Mr. Sheil took occasion, during and after his illness, to make some speeches, by no means in good taste, upon the Royal sufferer. About that time, too, he was prosecuted for too much freedom of speech on Wolfe Tone's autobiography, on the Catholic Association (which had risen, more powerful than ever, on the ruins of that which was suppressed in 1825), but never tried.

In the following year (1828), the Catholic Association, in possession of ample funds from "the Rent" which O'Connell had established, determined to resist the re-election of Mr. Vesey Fitzgerald, member for the County of Clare, because, though he had always voted for Emancipation, he had taken office in the Duke of Wellington's Anti-Catholic Government. O'Connell was the opposing candidate, and, after a fierce and exciting contest, he was elected by an overpowering majority



Mr. Sheil warmly and efficiently assisted in this contest (of which his own narrative appears in the second volume); and his speech at its close, eminently practical as well as eloquent, is entitled to rank among his happiest efforts.

In the October following, being in London, it was suggested that Mr. Sheil should speak in advocacy of the Catholic claims, at a great Anti-Catholic meeting of the freeholders of Kent. He was unable, from the opposition presented to himself and other liberals, to utter more than a single sentence. Having taken the precaution, however, to give a copy of his (intended) harangue to the editor of "the Sun" newspaper, it was published, the same day, as part of the proceedings, and made a great impression on the public mind. Mr. Sheil's own account of the Penenden Heath Meeting, as it was called from the locality where it was held, appears in the second volume.

The Roman Catholic Relief Bill, passed in 1829, was the natural consequence of the Clare Election. It opened a new and enlarged sphere of action to Mr. Sheil, who was now eligible to sit in Parliament. At this time he was only thirty-six years old, with a high reputation, great powers, and immense popularity. Through the influence of Lord Anglesey, he was elected for the borough of Milbourne Port, but he had previously been an unsuccessful candidate for the County of Louth in 1830, for which he was elected in 1831. He was returned for the County of Tipperary in 1832 and in 1835, without a contest, and, against a strong opposition, in 1837. Accepting office in 1838, he was again unsuccessfully opposed. From 1841 to 1850, he represented the small Irish borough of Dungarvan.

In Parliament, the position occupied by Mr. Sheil was immediate, unquestioned, and exalted. In fact, he took rank, at once, as one of the best orators in the House of Commons. He was far from being a ready debater—though some of his extempore replies were quick, reasoning, and acute—but his prepared speeches enchained attention, and won the applause even of his antagonists. He had the disadvantage of a small person, negligent attire, shrill voice, and vehement gesticulation; but these were all forgotten when he spoke, and his sin-

gularly peculiar manner gave the appearance of impulse even to his most elaborated compositions. Words can not briefly describe the character of Sheil's rhetoric : it was aptly said, in the style of his own metaphors, "he thinks lightning."

Mr. Sheil was personally much liked by all parties in the Legislature. In 1834, when he was charged with having secretly and treacherously urged the Minister to carry an Irish Coercion Bill, which the liberal members were publicly opposing, it is doubtful whether his own party, or his opponents, were most rejoiced at his full acquittal.

After his entrance into parliamentary life, his bar-practice in Ireland was almost wholly neglected. In 1844, however, although he had himself avoided participation in the Repeal excitement, he reappeared in the Four Courts, at Dublin, at the State Trials, as advocate for John O'Connell, and delivered a most eloquent speech in his defence, the delivery of which occupied six hours. This closed his professional career.

From his entrance into Parliament, he rather sided with the Whig than the Irish party. In time he had his reward—having been successively a Commissioner of Greenwich Hospital, Vice-President of the Board of Trade, Judge-Advocate General, and Master of the Mint, besides being a Queen's Counsel and Privy Counsellor. Of late years, his voice was seldom heard in the House. He seemed to think that his work was ended with Emancipation and the abolition of Tithes. He had declined into a mere placeman—realizing Moore's sarcasm :—

"As bees on flowers alighting, cease their hum,  
So, settling upon places, Whigs grow dumb."

Curiously enough, Mr. Sheil's appointment under the Whigs, in 1846, to the office of Master of the Mint, broke up the Irish party which O'Connell long had led. On acceptance of office, it was requisite that he should go back to his constituents of Dungarvan, as a candidate for re-election. A strong and rising section of the Repealers urged that, as in 1828 with Vesey Fitzgerald, Mr. Sheil should be opposed, as member of a Government who would not grant "justice to Ireland," save on the strongest pressure from without. O'Connell would

not consent thus to oppose Sheil, having better hopes of the Whigs than his more youthful and eager associates. O'Connell allowed Sheil to be re-elected, without opposition, on the ground of his own reluctance to embarrass the Government. Certain resolutions, affirming this temporizing policy, were proposed by John O'Connell, and carried by a large majority in the Repeal Association. But the minority—more powerful in virtues, boldness, and talent, than in numbers—seceded from the Association, and formed what was called the "Young Ireland" party, resolved to achieve the independence of their country, even if it were to be battled for with arms as well as words. Most distinguished in this party were O'Brien, Mitchel, Meagher, and Martin, who soon after founded "The Irish Confederation," one principle of which was opposition to office-seeking on the part of persons professing nationality. Soon after, O'Connell died. The Revolutions of 1848 came next, and that which was attempted in Ireland, with an unsurpassed purity and intensity of purpose, failed like all the rest.

In November, 1850, when Lord John Russell was attacking the Catholic religion, as consisting of "the mummeries of superstition," and was preparing to bring in his Ecclesiastical Titles Bill, the Embassy to Florence was offered to, and accepted by, Mr. Sheil, whose health was declining, and whose religious feelings must have been opposed, had he remained in England, to Lord John Russell's anti-Catholic measures.

To Florence, therefore, he proceeded, full of hope that the fine climate would renew his failing health, and looking on his appointment as a dignified close to his public career. The suicide of Mr. Power, son of Mr. Sheil's second wife (his first had been Miss O'Hallaran, niece of Sir William M'Mahon, Master of the Rolls in Ireland), gave him such a shock as to induce an attack of gout in the stomach, of which he died. His remains were conveyed to Ireland in a British ship-of-war, and were interred at Long Orchard, four miles from Templemore, in the County of Tipperary.

Fain would I here have done more than thus briefly and rapidly record the leading events in Mr. Sheil's public life, but my space is necessarily limited. Perhaps I may have the oppor-



tunity of doing him fuller justice in a future volume, in which I may attempt to give pen-portraits of politicians and authors, artists and polemics, lawyers and orators, whom I have known in Europe.

The publication of "Sketches of the Irish Bar" was commenced in 1822, in *The New Monthly Magazine*, a London periodical then conducted by Thomas Campbell, the poet. The idea originated with William Henry Curran, son and biographer of the great Irish orator and patriot, but the execution was Sheil's.

The first sketch, which appeared in August, 1822 (and perhaps one of the ablest, being analytic as well as rhetorical), was that of Plunket. The far-famed paper on O'Connell, which is the best known of the series (having been repeatedly reprinted in Europe and America, and translated into French, German, Italian, and Spanish), did not appear until July, 1823. It immediately attracted attention and applause; and, from that time, the "Sketches of the Irish Bar" were eagerly looked for in *The New Monthly*, the reputation of which they mainly contributed to sustain. The last sketch was that of Leslie Foster, published in February and March, 1829.

A schoolboy, when the "Sketches" were commenced, (and, albeit a Protestant, entertaining a strong general impression that my countrymen, the Irish Catholics, were very harshly treated,) I eagerly perused such of them as were copied into an excellent journal, now no more, called *The Cork Mercantile Chronicle*. As I grew older, I could better appreciate their keen satire, their sharp antithesis, their close observation, their personal gossip, their liberal spirit, and their generous sentiment. At last, it was my own hap to become a member of the press, at an age when (I now feel) I should rather have been improving my own mind, than presumptuously attempting to instruct others.

In 1826, an enterprising bookseller in Cork resolved to make the experiment of trying whether Ireland, which eagerly received her literature from London and Edinburgh, could support a periodical of her own. He engaged the services of

some distinguished *literati* in the South of Ireland, and had no lack of younger contributors willing to write for "the honor and glory" of being in print. Among these were several who have since been distinguished. There was Callanan, author of the exquisite lyric called "Gougane Barra," whose rhythm flows along like the melodious rippling of a gently-murmuring rivulet; there was O'Meagher, author of a poem called "Zedechias," and now the efficient and able Paris correspondent of the London *Times*; there was O'Leary, who wrote the *chanson à boire* "Whiskey, drink divine!" so redolent of Innishowen; there was John Windele, now a zealous and rational antiquarian; there was the late John Augustus Shea, already distinguished among his fellows for poetic genius, flashing wit, classic eloquence, and social companionship; and, lingering far behind, as became the youngest and humblest, the writer of this notice completed the array of volunteer contributors.

It struck all of us that the periodical would at once achieve success, if Mr. Sheil could be induced to become a contributor. Mr. Bolster, the publisher, obtained an interview, and asked whether Mr. Sheil could write for him, and was gratified with an affirmative reply. As the conversation went on, Mr. Sheil mentioned several subjects on which he was willing to write. The publisher was charmed with the interest which the future contributor appeared to take in the periodical. At last came the business question: "How much per sheet do you mean to pay?" The somewhat hesitating reply was, that no payment was contemplated at first, but that, whenever any profits accrued, he might depend on being remunerated. Mr. Sheil shook his head and said, "I am afraid your terms will not suit me. However, as you have done me the compliment of wishing me to write for you, I must give you something. Instead of calling your periodical 'Bolster's Magazine of Ireland,' accept a more appropriate name for it, from me. Considering the *place* whence it is to issue, and the *terms* which you offer, let me suggest that you call it 'The CORK-SCREW.'"

My own personal acquaintance with Mr. Sheil was made in October, 1828, in London, on the evening of the Penenden Heath Meeting. His conversation—full of wit and humor,

with graver alternations of serious talk—was the charm of that gay and delightful night.

In 1844, I applied to Mr. Sheil for permission to republish some of the “Sketches,” and his prompt reply (of which a fac simile is given in the second volume) gave the promise of assisting me in making the selection. I was then at Oxford, and was unable to call upon him in London until the next year. He had forgotten my name, in the lapse between 1828 and 1845, but instantly recollected my person and my voice. Entering heartily into my views, he gave me whatever permission was in his power, as writer, to republish the “Sketches,” wholly or in part, but doubted whether the copyright did not belong to Mr. Colburn, the proprietor of *The New Monthly Magazine*, for which he had written them. He gave me a list of the whole series, and further drew my attention to two other “Sketches,” which had appeared in the first volume of Campbell’s *Metropolitan Magazine* in 1831. These (on Lord-Chancellor Brougham and the State of Parties in Dublin), conclude the second volume, and, in their personal details, are not inferior in interest to any which precede them.

Encouraged by the frank kindness with which I was met, I suggested the republication of all the “Sketches,” and stated my idea of the manner in which they should be edited. Mr. Sheil stated his inability—from pressure of other occupations, and a distaste of the literary labor it would impose—to annotate, or even to revise the articles; but strongly urged me to act as Editor—a duty for which, he was pleased to say, I was qualified by my knowledge of politics and parties in Ireland, and my acquaintance with most of the persons of whom he had made mention. Thus encouraged, I accepted the charge, and had repeated conferences on the subject, during the following twelve months; but, in the summer of 1846, Mr. Sheil resumed office as Master of the Mint, which greatly engrossed his time, and my own was so much occupied, to the exclusion of literary labor, that I was unable then to proceed with my task, which I did not resume until recently.

A generation has passed away since the first of these “Sketches” appeared, and, had I edited this work in England



I must have freely annotated it, to make its allusions to persons and things perfectly intelligible to the present race of readers. Doing it in America, I felt that this principle must be carried out yet more fully. Therefore, in the copious notes and illustrations which I have written (so copious, indeed, that my own portion in these volumes is more than two fifths of the whole),\* I have endeavored to make the reader as well acquainted with every part of the subject, as I am myself. That I have been laborious I know, that I am accurate in statements and dates I believe. My own political opinions being liberal, their tone has breathed itself, no doubt, into what I have written, but I trust that its general impartiality will be acknowledged. Wherever my own personal knowledge could avail, I have freely used it. All of the subjects of the "Sketches" I have seen and heard in public; with many of them I was more or less acquainted.

The "Sketches" are of a three-fold character. Some are individual, as relating to public men. Some show the practice of the Irish Bar, as exhibited in reports of interesting criminal cases. The third class consists of narratives of public events connected with the cause of civil and religious liberty in Ireland. Thus, there are graphic descriptions of O'Connell, Plunket, and their contemporaries. There are the thrilling narratives of Scanlan's trial at Limerick (on which Gerald Griffin founded his tragic story of "The Collegians") and the trials of Father Carrol, at Wexford; of the murderers of Daniel Mara, at Clonmel; and of Gorman, for "the burning of the Sheas." There are also Mr. Sheil's own recollections of the formation of the Catholic Association in 1823; of the visit of the Catholic Deputation to London in 1825; of the great Clare Election, and the Penenden Heath Meeting in 1828; and of Lord Brougham's reception, as Chancellor, in 1831. Nor, amid much that is historical, grave, and sometimes, even tragic, are lighter scenes deficient, such as the account of the Tabinet Ball, the Confessions of a Junior Barrister, the description of

\* Mr. Sheil's own notes to these "Sketches" are few — about six or eight in the two volumes. All the rest of the annotations are my own and initialed thus :—M.



an imaginary Testimonial to Lord Manners, and the Sketch of the judicial mime, Lord Norbury. In reality, this work, with its strong contrasts of light and shade, is a sort of personal history of Irish politics and politicians (for the Bar did not affect neutrality), during the half century following the parchment Union between Ireland and Great Britain.

The portrait of Mr. Sheil in this volume, is a fac-simile of an original sketch in my possession, made in London, in 1825, by Mr. S. Catterson Smith, then a young Irish artist of considerable promise, and now of such leading eminence that he was selected to paint the portrait of Lord Clarendon, late Viceroy of Ireland, to be placed in Dublin Castle. The likeness of Mr. Sheil, it must be noted, represents him as he was at the age of thirty-two.

Here, dismissing these volumes from my hand, I conclude my labors. Here are rescued from the perishable periodicals in which they mouldered, the admirable productions of a man, who, while our language lasts, will be spoken of as one of the most brilliant orators that Ireland, affluent in eloquence, ever had cause to be proud of—productions emanating from the freshness of his *purpurea juvenus*, before his patriotism had been rendered cold or doubtful, by his acceptance of place. They stand—

“A deathless part of him who died too soon.”

My own part, humble as it is, claims to be honest in purpose, and laboriously faithful in execution. I believe that the “Sketches of the Irish Bar,” now first collected, will be found to possess abiding interest, because they emanate from a master-mind, and are written with fidelity and spirit. I have arranged them in an order different from that in which they originally appeared (on Mr. Sheil’s own suggestion, that there should be contrast in the grouping), but I present them, without mutilation or change, as they were first given to the public.

R. SHELTON MACKENZIE.

NEW YORK, January 12, 1854.

## AUTHOR'S INTRODUCTION.

---

WHEN I first visited Dublin (it was about three years ago), I was a frequent attendant at the Courts of Justice, or, as they are more familiarly styled, the "Four Courts." The printed speeches of Curran had just fallen into my hands; and, notwithstanding their numerous and manifest defects, whether of the reporter or the speaker, the general effect of the perusal was to impress me with a very favorable opinion of Irish forensic eloquence. Although, as an Englishman,\* I might not participate in the political fervor which forms one of their chief recommendations to his admirers in Ireland, or, in my severer judgment, approve of a general style that differed so essentially from the models of British taste, still there was a freshness and vitality pervading the whole—glowing imagery—abounding phraseology—trains of argument and illustration at once vigorous and original—and incessant home pushes at the human heart, of which the attractions were entirely independent of local or party associations.

Under these impressions, and the opportunity being now afforded me, I made it a kind of literary object to ascertain how far the peculiarities that struck me belonged to the man

\* Mr. SHEIL commenced these Sketches in 1822, with the idea of their being taken as the production of an impartial Englishman, and he continued to wear the mask long after common report had assigned his writings to their true paternity. In his account of the Clare Election, which took place in 1828, and rendered Catholic Emancipation inevitable, Mr. Sheil frankly admitted the authorship.—M.

or the country. With this view, I resorted almost daily for the space of two terms to the Four Courts, where I studied with some industry the manner and intellectual character of some of the most eminent pleaders. The result was, a little collection of forensic sketches, accurate enough, it struck me, as far as they went; but on the whole so incomplete, that I had no design of offering them to the public: they remained almost forgotten in my commonplace-book, until his Majesty's late visit to Ireland,\* when I was persuaded by a friend to follow in the royal train. All that I saw and thought upon that occasion is beside my present purpose.

I return to my sketches: My friend and I remained in Ireland till the month of December. We made an excursion to the lakes of Killarney and to the Giants' Causeway; and, during our tour, the Circuits being fortunately out, I was thus furnished with the means of correcting or confirming many observations upon some of the most prominent subjects of my sketches. The same opportunity was afforded me on my return to Dublin, where the Courts were sitting during the last month of our stay. I now, for the first time, and principally from deference to my companion's opinion that the subject would be interesting, resolved at a leisure hour to arrange my scattered memoranda into a form that might meet the public eye. I may not be enabled to execute my plan to its entire extent. In the event of my fulfilling my purpose, I must premise, that I do not profess to include every member of the Irish bar who has risen to eminence in his profession: I propose to speak only of those whom I heard sufficiently often to catch the peculiarities of their mind and manner; and, with regard to these, I beg to disclaim all pretensions to adjust their comparative merits and professional importance. Were it possible, I should introduce their names in the form of a Round Robin, where none could be said to enjoy precedence.

\* George IV. visited Ireland in August, 1821, and had no cause to complain of his reception. The Irish appeared drunk with joy, and rattled their chains as if they were proud of them. — M.

# SKETCHES OF THE IRISH BAR.

---

## AN IRISH CIRCUIT.

IF any one, tired with the monotonous regularity of a more civilized existence, should desire to plunge at once into another scene, and take refuge from *ennui* in that stirring complexity of feeling produced by a series of images, solemn, pathetic, ludicrous, and loathsome, each crossing each in rapid and endless succession, I would recommend to him to attend one of the periodical progresses of Irish law through the interior of that anomalous country; and more particularly through one of the southern districts, which, out of deference to Captain Rock, I have selected as the scene of the present sketch.

Going circuit in Ireland, though of great importance to the health of the bar—they would die of stagnation else—is at the outset but a dreary piece of business.\* When the time ap-

\* In Great Britain and Ireland, the Judges go “on circuit” twice a year, for the trial of criminal cases and of civil or *Nisi Prius* suits. Each circuit consists of a certain number of counties, and most of the barristers derive a considerable portion of their incomes from their labors, as advocates, on the circuit. A barrister may change his circuit *once*—but even this is rare—and the ordinary practice is, having once commenced in one district (usually including the locality of his own relatives and friends), always to continue in it. When a lawyer is called out of his own to plead for plaintiff or defendant in another circuit, it is said that he is “engaged specially,” and receives a large fee or *honorarium* accordingly. The largest “special” fee ever received in England was by one of the present ex-Chancellors, Lord Truro (then Sir Thomas Wilde),



proaches, one can generally perceive, by the faces in the Hall,\* that it is felt as such. There are, of course, exceptions. A prosperous man, certain of a rich harvest of record-briefs, a crown prosecutor with the prospect of a "bumper" in every jail, a sanguine junior confiding in the promise of the defence in a heavy murder case or two to bring him forward—the spirits of these may be as brisk, and their eyes shine as bright, as ever; but, for the most part, the presentiment of useless expense, and discomfort in a thousand forms, predominates. The travelling arrangements are made with a heavy heart; the accustomed number of law-books, each carefully lapped up in its circuit-binding, and never perhaps to be opened till its return, are transferred with a sigh from the shelf to the portman-teau; and the morning of departure from the metropolis, no matter how gay the sunshine or refreshing the breeze, is to many—to more than will dare confess it—the most melancholy of the year.

It certainly requires some stoutness of sensibility to face the south of Ireland. I have often heard the metropolis described as an effort of Irish ostentation. The truth of this bursts upon you at every step as you advance into the interior. With the exception of the roads, the best perhaps in Europe, the general aspect of the country proclaims that civilization and happiness are sadly in arrear. Here and there the eye may find a momentary relief in the commodious mansion and tasteful demesne of some opulent proprietor; but the rest of the scene is dismal and dispiriting. To those accustomed to English objects, the most fertile tracts look bare and barren. It is the country, but it has nothing rural about it: no luxuriant hedges-rows, no shaded pathways, no cottages announcing by the

who had nine thousand guineas, or \$46,800, for going out of his circuit to plead in some great property cause. His brief (so called, like *lucus a non lucendo*, because of the prolixity of such documents) extended to over two thousand pages. From one to five hundred pounds sterling is the usual amount of a "special" fee.—A record-brief means a brief in a civil suit, and takes its name from the action being entered or placed on record in the minutes of the Court, before it can be tried.—M.

\* Of "the Four Courts," the Westminster hall of Dublin, and the subject of a subsequent sketch.—M.

neatness without, that cleanliness and comfort are to be found within; but one undiversified continuity of cheerless stone-fences and roadside hovels, with their typhus-beds piled up in front, and volumes of murky smoke forth issuing from the interior, where men and women, pigs\* and children, are enjoying the blessings of our glorious constitution.

I travelled in a public conveyance. We were four inside—myself, a barrister, an attorney,† and a middle-aged, low-spirited Connaught gentleman, whom at first, from his despondency, I took to be a recent insolvent, but he turned out to be only the defendant in an impending ejectment-case, which had already been three times decided in his favor. The roof of the coach was covered (besides other luggage) with attorneys' clerks, policemen, witnesses, reporters, &c., &c., all more or less put in motion by the periodical transfer of litigation from town to country. Before our first breakfast was concluded, I had known the names and destination of almost all of them, and from themselves; for it is a trait of Irish character to be on singularly confidential terms with the public. This is sometimes troublesome, for they expect a return in kind; but it is often amusing, and anything is better than the deadly taciturnity of an English traveller. How often have I been whisked

\* An Irish peasant being asked why he permitted his pig to take up its quarters with his family, made an answer abounding with satirical *naïveté*, "Why not? Doesn't the place afford every convenience that a pig can require?"

† In England, during the seventy or eighty years immediately antecedent to railwayism, and formerly in Ireland, the etiquette of the bar prohibited a barrister from sharing a post-chaise with an attorney. The principle involved was that he who had briefs to *receive* should not be on familiar terms with him who had them to *give*—such being the relative positions of the respective "limbs of the law" in question. When a barrister was intimate with an attorney, he became liable to the imputation of playing at *hugger-mugger*, or cherishing him for interested purposes. At one time it was considered scarcely correct for a barrister to dine with an attorney—altogether a practitioner of a lower but very money-making class. All this has passed away. As for travelling, the rule which allowed barrister and attorney to go together in a mail or stage coach, because that was not necessarily *tête-à-tête*, as necessarily would be in a post-chaise which carried only two persons, extends to railway-carriages, in which all members of the profession, including the Judges themselves, are unavoidably mingled.—M.

along for miles and hundreds of miles with one of the latter species, without a single interchange of thought to enliven the way, with no return to any overture of sociality but defensive hems and predetermined monosyllables!

There is no stout-gentleman-like mystery upon the Irish roads. The well-dressed young man, for example, who sits beside you at the public breakfast-table, after troubling you for the sugar-bowl, and observing that the eggs are musty, will proceed, without further introduction, to tell you, "how his father, a magistrate of the county, lives within three miles and a half of the Cove of Cork,\* and what fine shooting there is upon his father's estate, and what a fine double-barrelled gun he (the son) has, and how he has been up to Dublin to attend his college examinations, and how he is now on his way down again to be ready for the grouse"—to the dapper, pimpled-faced personage at the other side of the table, who, while his third cup of tea is pouring out, reveals *pro bono publico* that he fills a confidential office in the bank of Messrs. — and Co., and that his establishment has no less than five prosecutions for forgery at the — assizes, and that he is going down to prove the forgery in them all, *et sic de ceteris*.

Upon the present occasion, however, there was one exception. Among the outside passengers there were two that sat and breakfasted apart (though there was no want of space at the public table) in a recess, or rather a kind of inner room. One of them, a robust, decent-looking man, if alone, would have excited no particular observation; but the appearance and deportment of his companion, and a strange sort of impression which I could perceive that his presence occasioned, arrested my attention. He was about thirty years of age; had a long, sunken, sallow visage, with vulgar features; coarse, bushy, neglected black hair; shaggy, overhanging brows; and a dark, deep-seated, sulky, ferocious eye. But though his as-

\* The Cove of Cork, one of the finest harbors in the British dominions, has ceased to be called by that name. A few years ago, on the first visit of Queen Victoria to the south of Ireland, the authorities of Cork, in the toadying and sycophantic spirit which often disgraces municipalities as well as individuals, petitioned the Crown that Cove should be called Queen's-Town. To this prayer the Queen "was graciously pleased to consent."—M.



pect was vulgar, his dress was not so. It consisted of a new blue coat and trowsers, a showy waistcoat, Wellington boots,\* and a gaudy-colored silk neckcloth.† Little or no conversation passed between him and his companion, who never separated from him, and seemed assiduous in his care that the best fare the inn afforded should be placed before him. He, however, seemed untouched by the attentions bestowed upon him, either rejecting them gruffly, or accepting them with a hardened, thankless air. His manner was altogether so extraordinary, and the contrast between his haggard, forbidding countenance and his respectable attire so striking, that my curiosity was not a little raised, more especially as I could see that several of the company eyed him with suspicion and dislike, while the waiters approached him with signs of aversion which they took no trouble to conceal. Their meal being concluded, his companion, after paying the bill for both, motioned to him, with a certain air of command, to rise and follow him. He obeyed, and retired in the same sullen, apathetic manner that had marked the rest of his demeanor. From these appearances, my first conjecture was that this must be some unfortunate person of imperfect understanding, who was travelling under the care of a keeper.

Upon resuming my place in the coach, I inquired who he was from one of my fellow-passengers (the barrister), and was undeceived. He was an informer, or, more technically speaking, an approver, one of a party who a year before had perpe-

\* *Apropos des bottes!* The duke of Wellington, during his earliest popularity, was made sponsor to two articles of wearing apparel. While he was in the Peninsula, they were immortalized in the shape of an epitaph:—

“Here lies the duke of Wellington,  
Once famed for battles others won;  
Who, after making, spending riches,  
Bequeathed a name to—boots and breeches!”—M.

† The reader may recollect part of the song-writer’s description of an Irishman “all in his glory” at Donnybrook Fair, with—

“A new Barcelona tied round his *nate* neck.”

With many other things, better and worse, Donnybrook Fair, which was held close to Dublin, has passed away. It has been “put down” (like Bartholomew Fair, in London) by the sovereign power of the Lord-Mayor.—M.

trated the murder of an entire family in the south. He had lately been taken, had turned king's evidence, made confessions which led to the apprehension of his accomplices, and was now proceeding, under charge of a policeman, to be a witness for the crown upon their trial.\* This information explained only a part of what I had seen. I observed that I still could not comprehend why such a miscreant should appear in so respectable a dress, and be treated in other respects with a degree of indulgence, to which another in his condition of life (for he was of the lowest class), though unstained by any crime, could have no pretension. The barrister made answer: "This is often indispensable for the purposes of justice, for it is difficult to imagine how unmanageable these ruffians sometimes are. They know the importance of the testimony they have to give, and which they alone can give, and in consequence become capricious and exacting in the extreme. Though in the hands of government, and with the evidence of their own admissions to convict them, they take a perverted pleasure in exercising a kind of petty tyranny over the civil authorities. They insist on having clothes, food, lodging, modes of conveyance according to their particular whims; and, if their impertinent demands be resisted, threaten to withhold their evidence and submit to be hanged. One starts at the singularity of a man's saying, 'Let me have a smart new blue coat, with double-gilt buttons, or a halter—a pair of Wellington boots, or the hangman!' but our desperate villains do these things, and the person in question I can perceive is one of them."

The subject thus started led to a conversation upon Irish courts of justice. I was in luck, for my fellow-traveller teemed with anecdotes, which he related with native fluency and point, touching judges, juries, counsel, witnesses, criminals, hangmen, and aught else that appertained to Irish law. Ho

\* Mr. Curran said, in one of his speeches, "Informers are worshipped in the temple of justice even as the devil has been worshipped by pagans and savages—even so, in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans—even so is he placated and incensed by the fumes and by the blood of human sacrifices."—M.

told *inter alia* (would that I had noted down the details!) how Lord Avonmore\* to his latest hour, would put no trust in a Kerry-man, the reason being (as with indignant gravity he used to justify his antipathy) that the only time he attended the Tralee assizes, he was employed in a single half-guinea case, in which he failed. And a day or two after, as he was travelling alone on the road to Cork, he was waylaid by his clients, reproached for his want of skill, and forcibly compelled

\* Barry Yelverton, the dearest friend of Curran and the beloved of the good and great in Ireland, was alike distinguished as a lawyer, orator, and statesman. In 1782, he became Attorney-General of Ireland. In 1784, he succeeded Hussey Burgh, as Chief Baron of the Exchequer. In June, 1795, he was made Lord Yelverton, Baron Avonmore. In December, 1800, he was created Viscount Avonmore, gaining this step in the peerage by voting for the Union—a vote which he regretted only once, and that was to his dying day. Witty himself, he was the cause of wit in others. He was sometimes very absent in mind. On one of these occasions, at dinner, when the common toast of *Our absent friends* was given, while Avonmore was in a reverie, Curran informed him that his health had just been drank. The unsuspecting judge started up, and, after a very eloquent speech in acknowledgment, learned how he had been hoaxed. Of all his forensic speeches, said to have been very good, only a brief fragment exists—the two sentences in which he happily described what Blackstone had done for the laws of England by his Commentaries. “He it was,” said he, “who first gave to the law the air of science. He found it a skeleton, and he clothed it with life, color, and complexion; he embraced the cold statue, and by his touch it grew into youth, and health, and beauty.” Almost as brief is what has been left to us of his parliamentary eloquence, which was great. Fitzgibbon, afterward Lord Clare, had attacked the illustrious Grattan in his absence. Barry Yelverton defended his friend, and concluded by saying, “The learned gentleman has stated what Mr. Grattan is: I will state what he is not. He is not *stayed* in his prejudices; he does not trample on the resuscitation of his country, or live, like a caterpillar, on the decline of her prosperity; he does not stickle for the letter of the Constitution with the affectation of a prude, and abandon its principles with the effrontery of a prostitute.” Sir Jonah Barrington has given the best sketch of Barry Yelverton. There are many stories afloat as to his suffering great poverty in his early manhood, and, as a proof, his pathetically saying to his mother, “Oh, I wish I had eleven shirts more!” When his mother inquired why he desired to have that particular number, he is reported to have explained by saying, “Because every gentleman should have a *dozen*.” Against this may be placed the fact that his father was a man of landed property in the county of Cork, on the banks of the Blackwater, and that his uncle, Charles O’Keefe, held the lucrative appointment of registrar of the Court of Chancery in Ireland. Lord Avonmore died on the 19th of August, 1805.—M.



to refund the fee. And how a Clare jury of old, in a case of felonious gallantry, acquitted the prisoner of the capital charge, but found him guilty of "a great *undacency*."\* And how Harry Grady,† in a desperate case at Limerick, hoisted an inebriated bystander upon the table to prove his statement, and every question being answered by a hiccup, got a verdict by persuading the jury that the opposite party had made his only witness drunk. And how a dying felon, after confessing all the enormities of his career, was asked by the priest if he could not recollect one single good action of his life to be put to the credit of his soul, to which the answer was—"No, father—God forgive me, not one—not a single—Oh! yes, I now remember—I once shot a gauger."

The entrance of the bar into an Irish assize town, though still an event, has nothing of the scenic effect that distinguished it in former days. At present, from the facilities of travelling, each separate member can repair, as an unconnected individual, to the place of legal rendezvous. This has more convenience, but less of popular *eclat*.‡ Till about half a cen-

\* This is nothing to the verdict of a Welsh jury, "Not Guilty—but we recommend him not to do it again." It is related, also, that an English jury, not very bright, having before them a prisoner charged with burglary, and being unwilling to convict him capitally, as no personal violence accompanied the robbery, gave the safe verdict "Guilty of getting out of the window." But the most original was that of an Irish jury before whom a prisoner pleaded "Guilty," throwing himself on the mercy of the court. The verdict was "Not Guilty." The judge in surprise exclaimed, "Why, he has confessed his crime!" The foreman responded, "Ah, my lord, *you* do not know that fellow, but *we* do. He is the most notorious liar in the whole county, and no twelve men who know his character can believe a word that he says." So the prisoner escaped, as the jury adhered to their verdict.—M.

† Harry Deane Grady was for many years first counsel to the commissioners of customs and excise in Ireland. When this office was abolished as useless and expensive (each of the two counsel netting £3,730 on an appointment with a salary of £100 a year) Mr. Grady was awarded a life pension of £2,000 per annum, *as compensation*!—M.

‡ At present, on the North Wales circuit, where not more than a dozen barristers attend, they travel from county to county in an omnibus of their own, which also conveys their clerks, trunks, and other luggage. It is a convenient and cheap arrangement. There is more practical fun among lawyers "on circuit," than at any other time. Except when actually in the Courts, formal-

tury ago, it was otherwise. Then the major part of the bar of each circuit travelled on horseback, and for safety and pleasure kept together on the road. The holsters in front of the saddles—the outside-coat strapped in a roll behind—the dragoon-like regularity of pace at which they advanced, gave the party a certain militant appearance. An equal number of servants followed, mounted like their masters, and watchful of the saddle-bags, containing the circuit wardrobe, and circuit library that dangled from their horses' flanks. A posse of pedestrian suttlers bearing wine and groceries, and such other luxuries as might not be found upon the road, brought up the rear. Thus the legal caravan pushed along; and a survivor of that period assures me that it was a goodly sight; and great was the deference and admiration with which they were honored at every stage; and when they approached the assize town, the gentlemen of the grand-jury were wont to come out in a body to bid them welcome. And when they met, the greetings, and congratulations, and friendly reciprocities, were conducted on both sides in a tone of cordial vociferation that is now extinct.

For the counsellor of that day was no formalist; neither had too much learning attenuated his frame, or prematurely quenched his animal spirits; but he was portly and vigorous, and laughed in a hearty roar, and loved to feel good claret disporting through his veins, and would any day prefer a fox-chase to a special retainer; and all this in no way detracted from his professional repute, seeing that all his competitors were even as he was, and that juries in those times were more gullible than now, and judges less learned and inflexible, and technicalities less regarded or understood, and motions in arrest of judgment seldom thought of—the conscience of our

ity is sent away, on leave of absence, and the bar-mess becomes the focus of wit and merriment—particularly when, in a sort of mock-court, they proceed to the trial of *pseudo*-offenders. Once, at Lancaster, where the Northern Circuit mess was honored with the company of Lord Brougham, long one of their most distinguished members, who had become Lord Chancellor of England, they arraigned him—for *desertion*! He pleaded his own cause, with such infinite wit, that the jury brought in a verdict of "Guilty" against the accuser as well as the accused, fining each of them a dozen of claret.—M.

counsellor being ever at ease when he felt that his client was going to be hanged upon the plain and obvious principles of common sense and natural justice, so that circuit and circuit-business was a recreation to him; and each day through the assizes he was feasted and honored by the oldest families of the county, and he had ever the place of dignity beside the host; and his flashes of merriment (for the best things said in those days were said by counsellors) set the table in a roar, and he *could* sing, and *would* sing a jovial song too: and if asked, he would discourse gravely and pithily of public affairs, being deeply versed in state-concerns, and, peradventure, a member of the Commons' house of parliament; and when he spoke, he spoke boldly, and as one not fearing interruption or dissent—and what he said was received and treasured up by his admiring audience, as oracular revelations of the fate of kingdoms till the next assizes.\*

\* It may be necessary to state that, "across the water," the barrister or counsellor is of a rank superior to the attorney (without whom he could not earn a shilling), and has a different line of business. To become a barrister it is only necessary for a gentleman to enter his name on the books of one of the Inns of Court; to pay entrance-money and fees, amounting to about one hundred and twenty pounds sterling; to eat twelve law-dinners in the year, during four years; to appear before the Benchers (eminent barristers of long standing) and read a few lines of a *thesis* on some point of law, which document can be purchased for a few shillings; and, having passed through this ordeal, facetiously termed "an examination," then to be admitted to the rank of an utter or *outer* barrister (because none but Queen's Counsel, Sergeants-at-Law, or barristers with patents of precedency, can sit *within the bar* in the Law Courts), and be "called to the bar," by having his name shouted out, at dinner, calling him from the students' to the upper or barristers' table. It will be seen, from this, that as the barrister receives no instruction during his four years of pupillage, it entirely rests with himself whether and in what manner he shall obtain a knowledge of the law. This is to be done by study, by attendance at the chambers of some eminent pleader (to whom he usually pays one hundred pounds sterling), and by noticing the practice of the law during his attendance in the courts. On the other hand, you must be regularly apprenticed to an attorney for five years, and, when your time is served, pass through a very strict examination in law and its practice before you are admitted as an attorney. In no case can a client do business, directly, with the barrister, who can only be approached, professionally, by the attorney. It is precisely as if a man being ill, the physician should refuse to prescribe for him, unless his symptoms and ailments were detailed, at second-hand, by the apothecary. The attorney literally acts as



Thus far my informant—himself a remnant of this by-gone race, and as such contrasting, not without a sigh, the modern degeneracy of slinking into a circuit-town in a corner of the Dublin mail, with the pomp and circumstance that marked the coming of the legal tourist in the olden time. Still the circuit-going barrister of the present day, though no longer so prominent an object of popular observance, is by no means considered as an ordinary person. The very title of Counsellor continues to maintain its major influence over the imaginations of the populace. When he comes to be known among them, landlords, waiters, guards, and coachmen, bow to him as low, and are as alert in service, as if he were a permanent grand-juryman, or chief-magistrate of police. At an assizes ball (if he be still in his juniority) the country-belles receive him with their choicest smirks, while the most influential country-gentlemen (excepting those who have received a college education, or who have been to Cheltenham) are cautious and complimentary in their converse with one who can take either side of any question *extempore*, divide it, by merely crossing his fingers, into three distinct points of view, and bring half a dozen knock-down arguments to bear upon each.

jackall to the barrister; but an attorney in good practice, who has many law-suits to carry on, has it in his power to help a clever young barrister, by employing him as junior counsel in such suits—there ordinarily being at least two barristers on each side in every civil or *Nisi Prius* trial. The attorney “gets up the case”—prepares the brief or statement of facts and evidence, with references to points of law, and previous decisions of the Courts also—fixes the amount of fees to counsel, and pays the money on delivery of the brief; there being the anomaly that, while the barrister’s fee is not recoverable by law, the attorney’s bills of costs are, and their amount is fixed by rules of Court, and taxed by proper officers. There is no instance on record of a barrister’s ever having become an attorney. Several of the best men at the bar (among whom Lord Truro now stands) have commenced as attorneys. To effect this change the man must cease to be an attorney, by having his name struck off the Court-roll, before he can enter as a student at one of the Inns of Court, where, after four years’ delay, as above mentioned, he may be called to the bar. Should it be discovered that a barrister has professionally acted without being “instructed” by an attorney, or that he has an understanding to the effect of sharing profits with an attorney, he would be *disbarred*—that is, turned out of the profession.—M.

The most striking scenes upon an Irish circuit are to be found in the criminal courts. The general aspect of the interior, and the forms of proceeding, have nothing peculiar; but scarcely a case occurs that does not elicit some vivid exhibition of national character, or afford matter of serious reflection upon the moral and political condition of the country. I would add, that the very absence of such reflection on the part of the spectators, is itself an observable phenomenon: for instance, the first morning that I entered the Crown Court at —, I perceived the witness-table covered by a group of mountain-peasantry, who turned out to be three generations of one family, grandfather, father, and three or four athletic sons. Their appearance, though decent, was wild and picturesque. They were all habited in a complete suite of coarse blue frieze. The eldest of the party sustained himself upon a long oaken staff, which gave to him a certain pastoral air, while each of the others, down to the youngest, a fine, fierce, black-haired, savage-eyed lad of seventeen, was armed with a formidable club of the same favorite timber. The old man resting upon his staff, and addressing the interpreter, was meekly and deliberately explaining, in the Irish language, for the information of the court, the object of his application. It needed no interpreter to tell me that he was recounting a tale of violence and wrong. The general purport, as he proceeded, was intelligibly translated in the kindling looks, the vehement gesticulation—and, where any circumstance was omitted or understated—the impassioned and simultaneous corrections of the group behind him. Though he more than once turned round to rebuke their impetuosity, it was easy to perceive that his own tranquillity of manner was the result of effort; but the others, and least of all the younger portion of the party, could not submit to restrain their emotions. The present experiment of appealing to the laws was evidently new to them, and unpalatable. As they cast their quick suspicious glances round them, and angrily gave their cudgels a spasmodic clench, they looked less like suitors in a court of justice, than as an armed deputation from a barbarous tribe, reluctantly appearing in a civilized enemy's camp with proposals for a cessation of

hostilities. And there was some such sacrifice of warlike instincts in the present instance. The party, for once listening to pacific counsel, had come down from their hills to seek compensation from the county for the loss of their house and stock, which had been maliciously burned down—they suspected, but had no proof—by “their old enemies the O’Sullivans.” Yet the details of their case, embracing midnight conflagration, imminent risk of life, destruction of property, produced, so familiar are such outrages, not the slightest sensation in a crowded court. Some necessary forms being gone through, they were dismissed, with directions to appear before the grand jury; and I do not forget that, as they were retiring, the youngest of the party uttered a vehement exclamation, in his native tongue, importing—“That if the grand-jury refused them justice, every farthing of their loss should (come of it what would) be punctually paid down to them in the blood of the O’Sullivans.”

The dock of an Irish county-court is quite a study. From the character of the crimes to be tried, as appearing on the calendar, I expected to find there a collection of the most villanous faces in the community: it was the very reverse. I would even say that, as a general rule, the weightier the charge, the better the physiognomy, and more prepossessing the appearance of the accused. An ignoble misdemeanant, or sneaking petty-larcenist, may look his offence pretty accurately; but let the charge amount to a good transportable or capital felony, and ten to one but the prisoner will exhibit a set of features from which a committee of craniologists would never infer a propensity to crime. In fact, an Irish dock, especially after a brisk insurrectionary winter, affords some of the choicest samples of the peasantry of the country—fine, hardy, healthy, muscular looking beings, with rather a dash of riot about the eye, perhaps, but with honest, open, manly countenances, and sustaining themselves with native courage amid the dangers that beset them; and many of them are in fact either as guiltless as they appear, or their crimes have been committed under circumstances of excitation, which, in their own eyes at least, excuse the enormity. With regard to the



former, there are one or two national peculiarities, and not of a very creditable kind, which account for their numbers.

The lower orders of the Irish, when their passions are once up on the right side, are proverbially brave, disinterested, and faithful; but reverse the object, give them a personal enemy to circumvent, or an animosity of their faction to gratify, and all the romantic generosity of their character vanishes. As partisans, they have no more idea of "fair play," than a belligerent Indian of North America. In the prosecution of their interminable feuds, if they undertake to redress themselves, armed members will beset a single defenceless foe, and crush him without remorse; and in the same spirit of reckless vengeance, when they appeal to the law, they do not hesitate to include in one sweeping accusation, every friend or relative of the alleged offender, whose evidence might be of any avail upon his defence; and hence, for the real or imputed crime of one, whole families, men and women, and sometimes even children, are committed to prison, and made to pass through the ordeal of a public trial. Another prolific source of these wanton committals is a practice, pretty ancient in its origin, but latterly very much on the increase, of attempting to succeed on a question of civil right by the aid of a criminal prosecution. Thus the legality of a distress for rent will come on to be tried for the first time under the form of a charge for cow-stealing, or the regularity of a "notice to quit," upon an indictment for a forcible and felonious dispossession.\*

\* These vindictive or wanton prosecutions are becoming so frequent, and the immediate and consequential evils are so great—for revenge in some lawless form or other is sure to follow—that the government of the country ought to interfere. The judges, when such cases come before them, never fail to express their indignation, and to warn the magistracy to be more cautious in granting committals without thoroughly sifting the truth of the depositions upon which they are grounded; but the guilty party, the malicious prosecutor, escapes unpunished. His crime is wilful perjury—but this is an offence against which, by a kind of general consent in Ireland, the laws are seldom or never put in force—and hence one of the causes of its frequency; but if prosecutors and their witnesses were made practically to understand that the law would hold them responsible for the truth of what they swear, if the several crown solicitors were instructed to watch the trials upon their respective circuits, and to make every flagrant case of perjury that appeared the subject of prompt and

But even omitting these exceptions, I should say from my own observations that an Irish jail is, for the most part, delivered\* of remarkably fine children, particularly "the boys," though from the numbers at a single birth, it would be too much to expect that they all should be found "doing well." In many the vital question is quickly decided, while in others, and it is for these that one's interest is most raised, the chances of life and death appear so nicely balanced, that the most experienced observer can only watch the symptoms, without venturing to prognosticate the issue. Such, to give an apposite example, was the memorable instance of Larry Cronan.

Larry Cronan was a stout, hardy, Irish lad, of five-and-twenty. Like Saint Patrick, "he came of *dacent* people."† He was a five-pound freeholder—paid his rent punctually—voted for his landlord, and against his conscience—seldom missed a mass, a fair, a wake, or a row—hated, and occasionally cudgelled the tithe-proctor—loved his neighbor—had a

vigorous prosecution, some check might be given to what is now a monstrous and increasing mischief. The experiment, I understand, was made some time ago at Cork, and, though only in a single instance, with a very salutary effect. On the first day of the assizes, a by-stander, seeing a dock friend in danger, jumped upon the table to give him "the loan of an oath." His testimony turning out to be a tissue of the grossest perjury, the judge ordered a bill of indictment for the offence to be forthwith prepared and sent up to the grand jury. The bill was found, and in the course of the same day, the offender was tried, convicted, sentenced to transportation, put on board a convict-ship then ready to sail, and, by day-break next morning found himself bearing away before a steady breeze for Botany bay. The example had such an effect, that scarcely an alibi-witness was to be had for love or money during the remainder of the assizes.

\* The word "delivered," is used here in reference to the fact that, in Great Britain and Ireland, the judges of assize, who go on circuit, from county to county, are bound to make "a general jail delivery," that is, to try every prisoner, in each place, unless the inquiry before the grand jury should ignore the bills of indictment, or, "a true bill" being found, the trial is deferred from some legal cause. Sometimes, of course, when the crown prosecutor declines trying the accused, the "*nolle prosequi*" opens the prison-door, and sometimes, when the offence is not very heavy the prisoner is liberated *pro tem.*, on giving bail for his appearance, to be tried at the next assizes.—M.

† "Saint Patrick was a gentleman,  
And came of *dacent* people."—*Irish Song.*

wife and five children, and, on the whole, passed for one of the most prosperous and well-conducted boys in his barony. All this, however, did not prevent his being "given to understand by the Clerk of the Crown," at the summer assizes for his native county, that he stood indicted in No. 15, for that he, on a certain night, and at a certain place, feloniously and burglariously entered a certain dwelling-house, and then and there committed the usual misdeeds against his majesty's peace and the statute; and in No. 16, that he stood capitally indicted under the Ellenborough act;\* and in No. 18, for a common assault. I was present at his trial, and still retain a vivid recollection of the fortitude and address with which he made his stand against the law; and yet there were objects around him quite sufficient to unnerve the boldest heart—a wife, a sister, and an aged mother, for such I found to be the three females that clung to the side bars of the dock, and awaited in silent agony the issue of his fate. But the prisoner, unsoftened and undismayed, appeared unconscious of their presence. Every faculty of his soul was on the alert to prove to his friends and the county at large, that he was not a man to be hanged without a struggle. He had used the precaution to come down to the dock that morning in his best attire, for he knew that with an Irish jury, the next best thing to a general good character is a respectable suit of clothes. It struck me that his new silk neckkerchief, so bright and glossy, almost betokened innocence; for who would have gone to the unnecessary expense, if he apprehended that its place was so soon to be supplied by the rope? His countenance bore no marks of his previous imprisonment. He was as fresh and healthy, and his eye as bright, as if he had all the time been out on bail.

When his case was called on, instead of shrinking under the general buzz that his appearance excited, or turning pale at the plurality of crimes of which he was arraigned, he manfully looked the danger in the face, and put in action every resource within his reach to avert it. Having despatched a

\* A law passed by the British parliament, at the instance of the late Lord Ellenborough, chief-justice of England. It provided punishment for such offences against the person as "cutting and maiming, or *mayhem*."—M.



messenger to bring in O'Connell from the other court,\* and beckoned to his attorney to approach the dock-side, and keep within whispering distance while the jury were swearing, he "looked steadily to his challengers," and manifested no ordinary powers of physiognomy, in putting by every juror that had anything of "a dead, dull, hang look." He had even the sagacity, though against the opinion of the attorney, to strike off one country-gentleman from his own barony, a friend of his in other respects, but who owed him a balance of three pounds for illicit whiskey. Two or three sets of alibi witnesses, to watch the evidence for the crown, and lay the venue of his absence from the felony according to circumstances, were in waiting, and, what was equally material, all tolerably sober. The most formidable witness for the prosecution had been that morning bought off. The consideration was, a first cousin of Larry's in marriage, a forty-shilling freehold upon Larry's farm, with a pig and a plough to set the young couple going. Thus prepared, and his counsel now arrived, and the bustle of his final instructions to his attorney and circumstanding friends being over, the prisoner calmly committed the rest to fortune; resembling in this particular the intrepid mariner, who, perceiving a storm at hand, is all energy and alertness to provide against its fury, until, having done all that skill and forethought can effect, and made his vessel as "snug and tight" as the occasion will permit, he looks tranquilly on as she drifts before the gale, assured that her final safety is now in other hands than his.

\* Mr. O'Connell's success with juries, whether in criminal or *nisi prius* cases, was very great. He went the Munster circuit (which included the southern counties of Ireland—Clare, Limerick, Kerry, Cork, and Waterford), and almost invariably held a brief for the defence in all criminal prosecutions. His business on circuit was so great that, except in very important cases, he could not read the prisoners' briefs. But the attorney for the defence used to condense the leading facts and set them down on a single sheet of foolscap, and O'Connell usually found time to peruse and master them, during the speech of the crown counsel for the prosecution, relying on his own skill in the cross-examination of witnesses and his power with the jury. Like Belial, he "could make the worse appear the better reason," as many an acquitted culprit had cause to know and be grateful for.—M.

The trial went on after the usual fashion of trials of the kind. Abundance of hard swearing on the direct; retractions and contradictions on the cross-examinations. The defence was a masterpiece. Three several times the rope seemed irrevocably entwined round poor Larry's neck—as many times the dexterity of his counsel untied the Gordian knot. From some of the witnesses he extracted that they were unworthy of all credit, being notorious knaves or process-servers. Others he inveigled into a metaphysical puzzle touching the prisoner's identity; others he stunned by repeated blows with the butt-end of an Irish joke. For minutes together, the court, and jury, and galleries, and dock, were in a roar. However the law or the facts of the case might turn out, it was clear that the laugh, at least, was all on Larry's side. In this perilous conjuncture, amid all the rapid alternations of his case—now the prospect of a triumphant return to his home and friends, now the sweet vision abruptly dispelled, and the gibbet and executioner staring him in the face—Larry's countenance exhibited a picture of heroic immobility. Once, and once only, when the evidence was rushing in a full tide against him, some signs of mortal trepidation overcast his visage. The blood in his cheeks took fright and fled—a cold perspiration burst from his brow. His lips became glued together. His sister, whose eyes were riveted upon him, as she hung from the dock-side, extended her arm, and applied a piece of orange to his mouth. He accepted the relief, but, like an exhausted patient, without turning aside to see by whose hand it was administered. At this crisis of his courage, a home-thrust from O'Connell floored the witness who had so discomposed his client; the public buzzed their admiration, and Larry was himself again. The case for the crown having closed, the prisoner's counsel announced that he would call no witnesses. Larry's friends pressed hard to have one, at least, of the alibis proved. The counsel was inflexible, and they reluctantly submitted.

The case went to the jury loaded with hanging matter, but still not without a saving doubt. After long deliberation, the doubt prevailed. The jury came out, and the glorious sound

of "not guilty," announced to Larry Cronan that, for this time, he had miraculously escaped the gallows. He bowed with undissembled gratitude to the verdict. He thanked the jury. He thanked "his lordship's honor." He thanked his counsel—shook hands with the jailer—sprung at a bound over the dock, was caught as he descended in the arms of his friends, and hurried away in triumph to the precincts of the court. I saw him a few minutes after, as he was paraded through the main street of the town on his return to his barony. The sight was enough to make one almost long to have been on the point of being hanged. The principal figure was Larry himself, advancing with a firm and buoyant step; and occasionally giving a responsive flourish of his cudgel, which he had already resumed, to the cheerings and congratulations amid which he moved along. At his sides were his wife and sister, each of whom held the collar of his coat firmly grasped, and, dragging him to and fro, interrupted his progress every moment, as they threw themselves upon him, and gave vent to their joy in another and another convulsive hug. A few yards in front, his old mother bustled along in a strange sort of a pace, between a trot and a canter, and every now and then, discovering that she had shot too far ahead, pirouetted round, and stood in the centre of the street, clapping her withered hands and shouting out her ecstasy in native Irish, until the group came up, and again propelled her forward. A cavalcade of neighbors, and among them the intended alibi witnesses, talking as loud and looking as important as if their perjury had been put to the test, brought up the rear. And such was the manner and form in which Larry Cronan was reconducted to his household gods, who saw him that night celebrating, in the best of whiskey and bacon, the splendid issue of his morning's pitched battle with the law.\*

\* Phillips relates that at the assizes of Enniskillen, Plunket once defended a horse-stealer with such consummate tact, that one of the fraternity, in a paroxysm of delight, burst into an exclamation, "Long life to you, Plunket! The first horse I steal, boys, by Jekurs, I'll have Plunket!" John O'Connell tells an anecdote of his father, which is worth repeating. He defended a man charged with highway robbery, and by an able cross-examination procured his acquittal. Next year, at the assizes of the same town, he had to defend the



The profusion of crime periodically appearing upon the Irish calendars, wears, it must be admitted, a very tremendous aspect; quite sufficient to deter the British capitalist from trusting his wealth within its reach. Yet, from the observations I have had an opportunity of making, I am greatly inclined to think that instances of pure, unmitigated, unprovoked invasion of life and property would be found (every requisite comparison being made) to be, upon the whole, less frequent than in England. The hardened, adroit, and desperate English felon, embracing and persevering in crime as a means of bettering his condition, is a character that, with the exception of two or three of the capital towns, has few counterparts in Ireland. The Irish peasantry have unquestionably increased in fierceness within the last twenty or thirty years; yet, as far as outrages upon property for the sake of gain are concerned, it is never the genius of a people so poor and contented with so little, and that little so easily procured, to become gratuitous thieves and highwaymen. They have too little taste for even the necessaries of life to risk their necks for its luxuries. At seasons of unusual pressure, and under circumstances of peculiar excitement, they are less abstinent; but even then they violate the laws in numbers and as partisans, and their murders and depredations have more the character of a political revolt than of a merely felonious confederacy. In truth, it may be almost said that, in the southern districts of Ireland, the only constituted authentic organ of popular discontent is midnight insurrection. If rents are too high, if the tithe-proctor is insatiable, if agents are inexorable and distrain with undue severity, the never-failing Captain Rock *instantly* takes

same man, under charge of having committed a burglary, with violence nearly amounting to murder. The jury discredited the Government witnesses, could not agree on a verdict, and the prisoner was discharged. Again, O'Connell had to defend him—this time on a charge of piracy—by demurring to the jurisdiction of the Court, the offence, committed “on the high seas,” being cognizable only before an Admiralty Court. When the man saw his successful counsel turn round to the dock, in which he stood, he stretched over to him, and, raising eyes and hands most piously and fervently to heaven, cried out, “Oh, Mr. O'Connell, may the Lord spare you—to me!”—M.

the field with his nocturnal forces,\* issues his justificatory manifestoes, levies arms and ammunition upon the gentry, burns a few obnoxious tenements, murders a police-magistrate or two, and thus conveys to the public his dissatisfaction with a state of things, which (supposing them possible to exist in any quarter of England) would be bloodlessly laid before the nation for reprobation and redress, in a series of well-penned letters to the editor of the "Morning Chronicle."†

There is, however, one particular felony, always figuring conspicuously upon an Irish calendar, which I rather fear that a genuine son of St. Patrick has a natural predisposition to commit for its own sake. Irishmen the most sensitive for the honor of their country, must, I think, admit that among them a youthful admirer of the fair sex, with a hot-spring of true Milesian blood in his veins, is disposed to be rather abrupt and

\* The spirit of Irish disaffection (put down by Mr. O'Connell, who showed that it actually supplied the Government with good grounds for making and enforcing harsh laws) found numerous leaders in the south and west of Ireland, most of whom assumed the soubriquet of "Captain Rock." The forces under the command of these leaders were generally called "Whiteboys," from their common practice of wearing white shirts over their usual garments during their nocturnal excursions. Thomas Moore, who has apostrophized him as "the genius of Riot," wrote the *Memoirs of Captain Rock*, in which, with more truth than poetry, he thus briefly stated the causes of Irish discontent:—

“As long as Ireland shall pretend,  
 Like sugar-loaf, turned upside down,  
 To stand upon its smaller end,  
 So long shall live old Rock's renown.  
 As long as Popish spade and scythe  
 Shall dig and cut the Sassenagh's tithe;  
 And Popish purses pay the tolls,  
 On heaven's road, for Sassenagh souls—  
 As long as Millions shall kneel down  
 To ask of Thousands for their own,  
 While Thousands proudly turn away,  
 And to the Millions answer, 'Nay!'—  
 So long the merry reign shall be  
 Of Captain Rock and his family.”—M.

† In 1825, when this sketch was published, the "Morning Chronicle" had nearly as much influence, in and out of London, as *The Times*, and was the great organ of the liberal party in England and Ireland.—M.

peremptory toward the object of his adoration. And yet among all the various cases that are tried at an Irish assizes, those in which "ladies are recommended to leave the court" are perhaps the most perplexing to a judge and jury.\* If, on the one hand, the Hibernian lover be often hasty and irregular in his style of courtship; on the other, the beauties of the bogs (let Mr. O'Connell deny it as he will) are sometimes frail: and, besides, the charge is in itself so easily made, and so difficult to refute—still it may in any given case be true; and the witnesses depose to their wrongs in such heart-rending accents, and weep, and sigh, and faint away, so naturally—but then so many instances occur in which all this turns out to be imposture; and the complainant has always so many motives to swear to her own purity through thick and thin, and the boundary between importunacy and felony is so undefinable, and she is in general so ready to consent, that, after all, the affair shall terminate, like a modern comedy, in a marriage, for in nine cases out of ten it is almost impossible to divine whether the real object of the prosecutrix is the prisoner's life, or his hand and fortune. The party accused (whenever in point of fact he can do so) suspects it to be the latter; and it is often amusing enough to watch his deportment, as influenced by that impression, throughout the progress of his trial.

At first he takes his station at the bar with the confident and

\* In England it is the rule for ladies to attend the assizes, in Ireland it is the exception. At any place, the practice is absurd and indelicate. The fair sex who visit the Courts of Law, listening for hours to evidence and speeches which they could take no interest in, even if they understood them, evidently go to exhibit their charms and—their wardrobe! An aggravated murder case pleases them—as a tragedy would. But their peculiar delight is to listen to the details of an action for breach of promise of marriage. In cases of seduction and *crim. con.*, the crier of the Court gives a preliminary warning "ladies and boys will leave the Court." I recollect one of these cases, in which the bulk of the petticoated spectators did not vacate their seats—their prurient curiosity was predominant. In stating the facts, the prosecuting counsel, seeing ladies in Court, and not wishing to wound their sense of delicacy, hesitated for words in which to wrap up the necessary grossness of the details. "Brother," said the Judge, "as all the modest women have left the Court, you may call things by their proper names." Then followed a great fluttering of bonnet-plumes, and, in five minutes after the reproof, the fair sex had left the Court!—M.



somewhat swaggering air of a man determined not to be bullied by a capital prosecution into a match against his taste. It is in vain that the prosecutrix apprizes him, by her softened and half-forgiving glances, and her tender reluctance to swear too hard at first, that if he says but the word she is ready "to drop the business," and fly into his arms. In vain his friends and hers endeavor to impress upon him the vast difference in point of comfort and respectability between life with a wife and home, and the premature abridgment of his days upon gibbet. "No; his mind is made up, and he'll run all chances; and if she only tells the whole matter just as it happened, and might happen to anybody, not a hair of his head has cause to be afraid." This lasts for a time; but as the case in its progress begins to wear a serious aspect, and the countenance of his attorney to assume along with it a disastrous gravity, wondrous is the revolution of sentiment that is gradually but rapidly produced. She, upon whom a little while ago he frowned in scorn, on a sudden begins to find favor in his sight. With every step that her gentle hand conducts him toward his doom, he becomes more conjugally inclined. The more the thickening danger compels him to reconsider his determination, the more clearly he sees that after all it will be better to receive his "death from her eyes" than from her tongue; until at length, being fairly led to the foot of the gallows, with the rope, in such cases the most potent of love-chains, fast about his neck, he announces himself the repentant lover, tenders the *amende honorable*, and is transferred with all convenient speed from the impending gripe of the hangman to the nuptial clasp of a young and blooming bride. Such matches can hardly be said to be "made in heaven;" yet I have never heard that they turn out less prosperously than others. The wife is all gratitude and pride for having been "made an honest woman;" the husband is usually bound over at the time of the marriage to keep the peace toward the mistress of his soul; and, with these collateral securities for domestic bliss, they generally contrive to live on, and defy Mr. Malthus, with as much harmony as if their fates had been united by a less circuitous process.\*

\* There is a difference of opinion among the judges as to the expediency of permitting a prosecution to be stopped in the manner above described. The

These are things to smile at; but exhibitions of a far different character occasionally occur—not, as already stated, more frequently than elsewhere, but when they do appear, presenting instances of deep aboriginal depravity, for which no political or social palliation can be found. Nor is it exclusively from among the refuse of the community that such examples may be taken. Of this I have before me a remarkable illustration in the details of a case that happened a few years ago, and which, in addition to the singularity of the incidents, has the novelty of being now for the first time presented in a printed form to the public.\*

The river Shannon, in its passage westward toward the Atlantic, expands, about forty miles below the city of Limerick, into a capacious sheet of water resembling an estuary, and making a distance of ten or twelve miles from bank to bank. At the northern, or county of Clare side, is the town of Kilrush. Upon the opposite shore, adjoining the borders of the counties of Limerick and Kerry, is the town of Tarbert; and a few miles higher up the stream the now inconsiderable village of Glyn—the same from which a branch of the Fitzgeralds originally took their ancient and still-honored title of “Knights of Glyn.” None of these places make any kind of show upon the banks, which besides are pretty thickly planted almost down to the water’s edge. The river itself in this part

question is full of difficulty; but all things considered, it would probably be more salutary, to let the law in every instance take its course. If an indulgence, which originated in humanity, often saves a court and jury from a distressing duty, it, on the other hand, has a tendency to encourage interested prosecutions, and also to render the actual commission of the crime more frequent, by holding out to offenders the possibility of such a means of escape in the last resort. [At present, and for many years past, a prosecution for abduction once brought before a jury is not allowed to be stopped—except for want of evidence. The result is that the offence has scarcely been heard of latterly.—M.]

\* Upon the incidents here related, with a graphic clearness and force most touching in their naked simplicity, the late Gerald Griffin, himself a “Limerick man,” founded “The Collegians,” his most striking and truthful work of fiction. The original of his “Hardress Cregan” was John Scanlan, whose name was not published by Mr. Sheil, out of respect for the feelings of his family, one of the most respectable in the South of Ireland.—M.

presents few signs of human intercourse. In the finest summer weather the eye may often look round and search in vain for a single bank or boat to break the solitude of the scene. The general desolation is in fact at times so complete, that were an adept in crime to be in quest of a place where a deed of violence might be perpetrated under the eye of God alone, he could not select a fitter scene than the channel of the river Shannon, midway between the points I have just described.

One morning, a little after sunrise, about the latter end of July, in the year 1819, two poor fishermen, named Patrick Connell and . . . Driscoll, who lived at Money-Point, a small hamlet near Kilrush, went down to the river-side, according to their custom, to attend to their occupation. As they walked along the strand in the direction of their boat, they came upon a human body which had been washed ashore by the last tide. It was the remains of a young female, and had no clothing or covering of any kind excepting a small bodice. Who or what she had been they could not conjecture, but how she came by her death was manifest. They found a rope tied at one end as tightly as possible round the neck, and at the other presenting a large loop, to which they supposed that a stone or some other weight had been attached, until the working of the stream had caused it to separate. From the general state of the body, and more particularly from the teeth having almost all dropped out, they concluded that it must have been under the water for several weeks. After a short consultation, the two fishermen resolved upon proceeding without delay to Kilrush, to apprise the civil authorities of the circumstance; but in the meantime they could not bear to think of leaving the remains exposed, as they had found them on the shore, and liable to be borne away again by the tide before they could return. They accordingly removed the body to a little distance beyond high-water mark, and gave it a temporary interment. The feelings with which they performed this office were marked by that tender and reverential regard toward the dead which distinguishes the Irish peasantry. Upon the subsequent investigations, it became of importance to ascertain whether the burial had been conducted in such a manner as not to have



occasioned any additional injury or disfigurement to the remains; and Patrick Connell being asked the question, replied in a tone of voice so pathetic as to bring a tear into every eye: "No," said the poor fellow, raising both his hands, and attempting to convey by their movements the gentleness that had been used, "it was impossible for anything we did to injure or disfigure her, for we laid her up neatly in sea-weeds, and then covered her all round softly with the sand, so that nothing could harm her."

The magistrates of the neighborhood having ascertained from the report of the fishermen that a dreadful crime had been committed, set immediate inquiries on foot for the discovery of the offender. The task could not have devolved upon a more competent class of men. Whatever other failings may have been imputed to the Irish country-gentlemen, indifference or inexperience in the detection of criminals has not been among them. Time out of mind, the political and social anomalies of Ireland have kept that body continually on the alert for the protection of their lives and properties. To the abstract principle of public duty and general love of justice, has been super-added the more pressing stimulus of self-preservation. The consequence is, that their local information in all that can relate to the discovery of a public offender is singularly accurate and extensive; and equally remarkable are their skill and zeal in putting every resource in play for the attainment of their object.\* The exertions of the magistrates in the present instance were so successful, that a considerable mass of circum-

\* Liberal pecuniary rewards for prosecuting to conviction, are among the number; but experience has shown that in such a country as Ireland, this may be a very dangerous expedient. A striking instance occurred a few years ago. A young gentleman, the son of an unpopular English agent, was barbarously murdered. The reward offered, amounted to some hundreds of pounds. For some time no evidence was tendered; at length a boy, about thirteen years of age, and whose parents were in the most indigent circumstances, presented himself and stated that he had witnessed the murder from a concealed position behind a hedge, and that he could identify one of the persons engaged in it by a particular mark on one of his cheeks. From the description, suspicion lighted upon a particular man, who was accordingly apprehended, and being shown to the boy, was pronounced by him to be the very person. On the trial, the boy, the only material witness, gave his evidence so clearly and positively,

stantial evidence was in readiness for the coroner's jury, that was summoned to inquire into the identity of the deceased and the cause of her death. The details were voluminous, and I shall therefore select only the most striking and material.

The most important and ample information was communicated by a young woman named Ellen Walsh. A few weeks before the finding of the remains, this person being at Kiltrush, went down to the river-side in search of a passage across to Glyn, where she resided in service with a lady. It was then approaching sunset. Upon arriving at the shore, she found a small pleasure-boat on the point of putting off for Tarbert. Six persons were in the boat, a Mr. S——, a young woman who was addressed as Mrs. S——, Stephen Sullivan, Mr. S——'s servant, and three boatmen of the town of Kiltrush. There was also on board a trunk belonging to Mrs. S——. The only one of the party of whom Ellen Walsh had any previous knowledge was Sullivan, whose native place was Glyn; and, upon addressing herself to him for a passage across, she was permitted to enter the boat. They immediately got under weigh, expecting to reach Tarbert before dark; but before they had proceeded any distance on their way across, they discovered that this was impracticable. In addition to an adverse tide, it came on to blow so hard against them that the boat made little or no way, so that they were kept out upon the water the whole of the night. Toward morning a heavy shower of rain fell, but, the wind having moderated, the rowers succeeded in reaching a small place below Tarbert, called Carrickafoyle. Here the party landed as the day began to dawn, and, taking the trunk along with them, proceeded to a small public-house in the village, to dry themselves and obtain refreshment. After breakfast, the boatmen, who had been hired for the single occasion of rowing the boat across the river, were dismissed and returned toward their homes.

and sustained the ordeal of a cross-examination so successfully, that the most incredulous could scarcely question his veracity. The prisoner, however, was fortunately able to prove an alibi, and escaped. A few months after, the real criminal, who had a mark on one of his cheeks, was apprehended, tried, and convicted upon evidence beyond all imputation.

The boat, which (it afterward appeared) had been purchased a few days before by Mr. S——, remained. Shortly after the departure of the boatmen, Mr. S—— and Sullivan went out (they said to search for change of a note), and were absent about an hour, leaving Mrs. S—— and Ellen Walsh together in the public-house. And here it was that some particulars observed by the latter, when subsequently recalled to her recollection and disclosed, became of vital moment as matters of circumstantial evidence.

It has been already stated, that the body found by the fishermen, was without any covering save a small bodice ; so that no direct evidence of identity could be established by ascertaining what particular dress Mrs. S—— wore ; but indirectly, a knowledge of this fact (as will appear in the sequel), became of the first importance. Upon this subject Ellen Walsh was able to give some minute and accurate information. She had forgotten the color of the gown Mrs. S—— wore when they landed at Carrickafoyle, but she well remembered that she had on a gray cloth mantle lined with light blue silk, and with welts of a particular fashion in the skirts. She also wore a pink-colored silk handkerchief round her neck, and had on her finger two gold rings—one plain, the other carved. These Ellen Walsh had observed and noted before Mr. S—— and his servant left the public-house ; but during their absence, Mrs. S—— opened the trunk, and, with the natural vanity of a young female, exhibited for her admiration several new articles of dress which it contained. Among other things, there were two trimmed spencers—one of green, the other of yellow silk ; two thin muslin frocks—one plain, the other worked ; and a green velvet reticule trimmed with gold lace.

Upon the return of Mr. S—— and Sullivan to the public-house, the weather having now cleared, they proposed to Mrs. S—— to go on board the boat. Ellen Walsh, understanding that Tarbert was their destination, desired to accompany them ; but Sullivan, taking her aside, recommended to her to remain where she was until the following morning, adding (and this last observation was in the hearing of his master), that in



the meantime "they would get rid of that girl (Mrs. S——)," and then return and convey her to Glyn. This Ellen Walsh declined, and followed the party to the beach, entreating to be at least put across to the other side of a certain creek there, which would save her a round of several miles on her way homeward. At first they would not consent, and put off without her; but seeing her begin to cry, Mr. S—— and Sullivan, after a short consultation, put back the boat, and taking her in, conveyed her across the creek, and landed her about three miles below the town of Glyn. They then sailed away in the direction of the opposite shore, and she proceeded homeward.

Early next morning Ellen Walsh, having occasion to go out upon some errand, was surprised to see Sullivan standing at the door of his mother's house in Glyn. She entered the house, and the first thing she perceived was Mrs. S——'s trunk upon the floor. She asked if Mrs. S—— was in Glyn. Sullivan replied that "she was not; that they had shipped her off with the captain of an American vessel." Two or three days after, Ellen Walsh saw upon one of Sullivan's sisters a gray mantle, which she instantly recognised as the one Mrs. S—— had worn at Carrickafoyle. There was a woman at Glyn, named Grace Scanlon, with whom Mr. S——, when he went there, was in the habit of lodging. In this person's house Ellen Walsh some time after saw the silk handkerchief, one of the spencers, and the two muslin frocks which Mrs. S—— had shown her at Carrickafoyle. (These, it appeared from other evidence, had been sold to Grace Scanlon by Sullivan, who accounted to her for their coming into his possession, by stating that Mrs. S—— had run away from Kilrush with an officer, and left her trunk of clothes behind her.) Finally, about a fortnight after the disappearance of Mrs. S——, Ellen Walsh, going one evening into Grace Scanlon's house, found Mr. S—— and Sullivan sitting there. The former had on one of his fingers a gold carved ring, precisely resembling that worn by Mrs. S——. They both were under the influence of liquor, and talked much and loud. Among other things, Sullivan asked his master for some money; and on being refused,

observed emphatically, "Mr. John, you know I have as good a right to that money as you have."

Such were, in substance, the most material facts (excepting one particular hereafter mentioned), that had fallen under Ellen Walsh's observation; and, upon the magistrates being apprized that she had such evidence to give, she was summoned as a witness upon the inquest. She accordingly attended, and accompanied the coroner's jury to the place where the remains had been deposited by the fishermen. The circumstances she detailed were pregnant with suspicion against Mr. S—— and his servant. A young and defenceless female had disappeared. . Upon the last occasion of her having been seen, she was in their company, in an open boat on the river Shannon. A declaration had been made by the servant, "that she was to be got rid of." On the very next day her trunk of clothes is seen in their possession, and, soon after, a part of the dress she wore in the boat on the servant's sister, and one of her rings on the master's finger; add to this the mysterious allusion to the money — "Mr. John, you know I have as good a right to that money as you have." A few weeks after, a body is washed ashore, near to the place where this young woman had been last seen — the body of a young female, who had manifestly been stripped, and murdered, and flung into the river, and exhibiting symptoms of decay (according to the report of the fishermen), that exactly tallied with the time of her suspected death.

On the other hand, there were some circumstances in the case, as detailed by Ellen Walsh, which justified the magistrates in considering that a jury should pause before they pronounced her evidence to be conclusive. Of Sullivan they had no knowledge; but his master they knew to be a young gentleman of some territorial property, of respectable parentage, and nearly allied by blood with more than one of the noble families of Ireland. This naturally compelled them to entertain some doubts. Then upon the supposition that he and his servant had concerted the murder of the young woman Ellen Walsh had seen with them, what could have been more clumsy and incautious than their previous and subsequent conduct? The

inference from her story of the transaction was, that the time and manner of executing their deadly purpose were finally determined upon during their absence from the public-house at Carrickafoyle. Yet the first thing they do upon their return is to inform her, without any kind of necessity for the communication, "that they want to get rid of that girl"—a declaration consistent enough with their subsequent account of her disappearance, but almost incredible if considered as a gratuitous disclosure by persons meditating the perpetration of an atrocious crime. They next permit the same person (as if determined that she should be a future witness against them) to see them bearing away their victim to the very scene of execution; and, finally, they appear the next day in the town of Glyn, and publicly exhibit themselves and the evidences of their crime to the very person from whose scrutiny and observation, upon the supposition of their guilt, they must have known they had so much to apprehend!

These conflicting views did not escape the attention of the magistrates who had undertaken the investigation of this affair. They saw that the case would continue involved in mystery, unless it could be unequivocally made to appear that the young woman seen by Ellen Walsh and the murdered person were the same. For this purpose, before they allowed the body to be disinterred for the inspection of the jury, they used the precaution of re-interrogating Ellen Walsh, as to every the minutest particular she could recall respecting the personal appearance of Mrs. S——. The witness stated she was extremely young, not more, she imagined, than fifteen or sixteen, and that her figure was short and slight. So far her description corresponded with that of the fishermen, who were also in attendance; but this would have been too feeble and general evidence of identity for a court of criminal inquiry to act upon with safety. The witness farther stated that Mrs. S—— was remarkably handsome, and gave the coroner's jury a minute description of her face; but no comparison of feature could now be availing. In the remains over which the investigation was holding, every natural lineament of the countenance must long since have been utterly effaced by death, and by the



equally disfiguring operation of the element to which they had been exposed. At length, however, the witness distinctly recalled to her recollection one peculiarity about Mrs. S——'s face, which, if she and the deceased were the same, might still be visible. The teeth were not perfectly regular. *Two of the upper row (one at each side) projected considerably.* This important clew having been obtained, the remains were disinterred, and found in the condition which the fishermen had described. The mouth was of course the first and chief object of minute inspection. The teeth of the upper jaw had all dropped out; but upon a careful examination of the sockets, two of the side ones were found to be of such a particular formation as satisfied the jury that the teeth belonging to them must of necessity have projected as the witness represented. Upon this fact, coupled with the other particulars of her testimony, they returned a verdict, finding that the deceased had been wilfully murdered by John S—— and Stephen Sullivan. Warrants were immediately issued for the apprehension of the parties accused, neither of whom (and this was not an immaterial circumstance) had been seen in public since the finding of the remains on the shore. The servant succeeded in concealing himself. The master was traced to a particular farmhouse in the county of Limerick, and followed thither by the officers of justice, accompanied by a party of dragoons. They searched the place ineffectually, and were retiring as from a fruitless pursuit, when one of the dragoons, as he was riding away, stuck his sabre, more in sport than otherwise, into a heap of straw that lay near the house. The sword met with no resistance, and the dragoon had already passed on, when a figure burst from beneath the straw and called out for mercy. It was Mr. S——.

From some passages in the statement of Ellen Walsh, it was sufficiently obvious that the deceased could not have been the wife of Mr. S——, and who she had been, remained to be discovered. Before the lapse of many days, this point was ascertained. There was an humble man named John Conroy, who had followed the trade of a shoemaker in one of the small towns of the county of Limerick. This person had humanely protected an orphan niece (named Ellen Hanlon), and brought

her up from her infancy in his house as one of his own children, till she attained her sixteenth year. She was uncommonly handsome, and, as he imagined, equally modest and trustworthy. Her uncle, who it appeared was an honest, industrious man, was in the habit of obtaining credit to a considerable amount for articles in the way of his trade from the wholesale dealers in Cork, which he regularly visited once a year for the purpose of discharging his engagements for the preceding, and obtaining a fresh supply for the ensuing year. A few weeks before the circumstances above detailed, Conroy was about to proceed to Cork according to his annual custom. He had then in his house one hundred pounds in notes, and twelve guineas in gold. On the Sunday preceding his intended departure, while he was at mass, Ellen Hanlon disappeared, and along with her the whole of his money. He never heard of her after, neither had he any knowledge of Mr. S——, but, from the description given of the young woman who had been with him on the Shannon, and more particularly from the coincidence of the peculiarity about the teeth, he was assured that his niece must have been the person, and was accordingly produced as a witness for the crown upon Mr. S——'s trial. The disclosure of these new facts, though it might have diminished in some degree the public sympathy for the fate of the victim, had a proportionate effect in aggravating every sentiment of horror against the prisoner, by superadding the crimes of seduction and robbery to murder.

The trial came on at the ensuing assizes for the county of Limerick. A clear case of circumstantial evidence, consisting mainly of the foregoing facts, was made out against the prisoner, who had nothing, save the ingenuity of his counsel, to offer in his defence. When the issue was handed up to the jury, it was supposed that they would return a verdict of conviction without leaving the box; but, contrary to expectation, they retired, and continued long engaged in consultation. The populace, who watched the proceedings with extraordinary interest, murmured at the delay. This was by no means a usual or characteristic sentiment; but at this particular period, and in this particular county, the minds of the lower orders

were already in rapid progress toward that point of political excitation, which soon after exploded in a formidable insurrection. Against the culprit or the crime they might have felt in the abstract no peculiar indignation; but he was a protestant and a gentleman, and they naturally contrasted the present hesitation to convict with the promptitude that, as they considered, would have been manifested had such evidence been adduced against any one of them. At length, late in the evening, a verdict of guilty was found. Sentence of death was pronounced, and the prisoner ordered for execution on the next day but one succeeding his conviction.

Some very unusual incidents followed. Before the judge left the bench, he received an application, sanctioned by some names of consideration in the county, and praying that he would transmit to the viceroy a memorial in the prisoner's favor. The judge, feeling the case to be one where the law should sternly take its course, refused to interfere. He was then solicited to permit the sentence to be at least respited to such a time as would enable those interested in the prisoner's behalf to ascertain the result of such an application from themselves. To this request the same answer was, for the same reasons, returned. There being, however, still time, if expedition were used, to make the experiment, a memorial, the precise terms of which did not publicly transpire, was that evening despatched by a special messenger to the seat of government. This proceeding was the subject of much and varied commentary. By some it was attributed to the prisoner's protestations of innocence—for he vehemently protested his innocence; by others to particular views and feelings, in which politics predominated; by the majority (and this conjecture appears to have been the true one), to an anxiety to avert, if possible, from the families of rank and influence with which the culprit was allied, the stigma of an ignominious execution.

The hour beyond which the law had said that this guilty young man should not be permitted to exist, was now at hand, and the special messenger had not returned. Yet, so confident were the prisoner's friends that tidings of mercy were on the way, that the sheriff humanely consented to connive at every



possible procrastination of the dreadful ceremony. He had already lived for more than two hours beyond his appointed time, when an answer from the castle of Dublin arrived. Its purport was, to bid him prepare for instant death. I have heard from a gentleman who visited his cell a few minutes after this final intimation, that his composure was astonishing. His sole anxiety seemed to be, to show that he could die with firmness. An empty vial was lying in the cell—"You have been taking laudanum, I perceive, sir," said the gentleman. "I have," he replied, "but not with the object that you suspect. The dose was not strong enough for that—I merely took as much as would steady my nerves." He asserted his innocence of all participation in the murder of Ellen Hanlon, and declared that, if ever Sullivan should be brought to trial, the injustice of the present sentence would appear.

The friends of the prisoner were, for many and obvious reasons, desirous that he should be conveyed in a close carriage to the place of execution. Expecting a reprieve, they had neglected to provide one, and they now found it impossible to hire such a conveyance. Large sums were offered at the different places where chaises and horses were to be let; but the popular prejudice prevailed.\* At last an old carriage was found exposed to sale, and purchased. Horses were still to be

\* It is considered in Ireland, that whoever lends or hires cattle or conveyance at an execution participates in the abhorred vocation of the hangman. Before the "drop" was invented, the condemned was usually conveyed to the gallows in a cart, sitting on his coffin—unless it were part of his punishment that "his body be handed over to the surgeons for dissection." The finisher of the law, having adjusted the fatal rope on "the horse that was foaled of an acorn" (see Ainsworth's Jack Sheppard), and round the neck of the doomed man, whom he placed standing in the cart, used to descend on *terra firma*, take hold of the horse's head, draw away the cart, and thus give the death-fall to his victim. If any other person led the horse away, the disgrace of having virtually acted as executioner would cling to him through life. As I am on the subject, I may add that "Jack Ketch" is a *nom-de-corde* used only in England. The Irish nick-name, no matter what the true appellation, is "Canty the hangman," and the miserable wretch is compelled, out of regard for his personal safety, to reside in a prison. If recognised out of doors, his life would not be worth half-an-hour's purchase, so great is the popular detestation of his trade of legal murder.—M.

provided, when two turf-carts, belonging to tenants of the prisoner, appeared moving into the town. The horses were taken from under the carts, and harnessed to the carriage. To this the owners made no resistance; but no threats or entreaties could induce either of them to undertake the office of driver. After a further delay occasioned by this difficulty, a needy wretch among the bystanders was tempted by the offer of a guinea to take the reins and brave the ridicule of the mob. The prisoner, accompanied by the jailer and clergyman, was put into the carriage, and the procession began to advance. At the distance of a few hundred yards from the jail, a bridge was to be passed. The horses, which had shown no signs of restiveness before, no sooner reached the foot of the bridge than they came to a full stop. Beating, coaxing, cursing—all were unavailing; not an inch beyond that spot could they be made to advance. The contest between them and the driver terminated in one of the horses deliberately lying down amid the cheers of the mob. To their excited apprehensions, this act of the animal had a superstitious import. It evinced a preternatural abhorrence of the crime of murder—a miraculous instinct in detecting guilt, which a jury of Irish gentlemen had taken hours to pronounce upon.

Every effort to get the carriage forward having failed, the prisoner was removed from it, and conducted on foot to the place of execution. It was a solemn and melancholy sight as he slowly moved along the main street of a crowded city, environed by military, unpitied by the populace, and gazed at with shuddering curiosity from every window. For a while the operation of the laudanum he had drunk was manifest. There was a drowsy stupor in his eye as he cast it insensibly around him. Instead of moving continuously forward, every step he made in advance seemed a distinct and laborious effort. Without the assistance of the jailer and clergyman who supported him between them, he must, to all appearance, have dropped on the pavement. These effects, however, gradually subsided, and before he arrived at the place of execution his frame had resumed its wonted firmness. The conduct of the prisoner in his last moments had nothing remarkable; yet it

suggests a few remarks, and furnishes a striking illustration upon a subject of some interest as connected with the administration of justice in Ireland.

In that country an extraordinary importance is attached to dying declarations. In cases exciting any unusual interest, no sooner is a convicted person handed over to the executioner, than he is beset on all sides with entreaties to make what is called a last satisfaction to justice and to the public mind, by an open confession of his guilt. As between the convict and the law, such a proceeding is utterly nugatory. If he denies his guilt, he is not believed; if he admits it, he only admits a fact so conclusively established, as to every practical purpose, that any supplemental corroboration is superfluous. If the verdict of a jury required the sanction of a confession, no sentence could be justifiably executed in any case where that sanction was withheld. But this could not be. In submitting the question of guilt or innocence to the process of a public trial, we apply the most efficacious method that our laws have been able to devise for the discovery of the truth. The result, like that of all other questions depending upon human testimony, may be erroneous. The condemned may be a martyr; for juries are fallible: but, for the purposes of society, their verdict must be final, except upon those rare occasions where its propriety is subsequently brought into doubt by new evidence, emanating from a less questionable source than that of the party most interested in arraigning it.

Then, as far as regards the satisfaction of the public mind with the justice of the conviction (for upon this great stress is also laid), the public should never be encouraged to require a higher degree of certainty than the law requires. But the practice of harassing convicts for a confession before the crowds assembled to witness their execution, produces this effect.—It teaches them to divert their attention from the best and only practical test of a question that should no longer be at issue, and to set a value upon a test the most deceptive that can be imagined. A voluntary admission of guilt may, to be sure, be depended on; but, after conviction, no kind of reliance can be placed upon the most solemn asseverations to



the contrary. Death and eternity are dreadful things; and it is dreadful to think of wretches determined to brave them with a deliberate falsehood upon their lips; yet there are men—many—that have the nerve to do this. In Ireland it is of frequent occurrence; particularly in cases of conviction for political offences, and, more or less, in all others. A regard for posthumous reputation—the false glory of being remembered as a martyr—a stubborn determination to make no concession to a system of laws that he never respected—concern for the feelings and character of relatives, by whom a dying protestation of innocence is cherished, and appealed to as a bequest to the honor of a family-name: these and similar motives attend the departing culprit to the final scene, and prevail to the last over every suggestion of truth and religion. It was so in the case I am now narrating. At the place of execution, the prisoner was solemnly adjured by the clergyman in attendance to admit the justice of his sentence: he as solemnly re-asserted his innocence. The cap was drawn over his eyes, and he was about to be thrown off. An accidental interruption occurred. The clergyman raised the cap, and once more appealed to him as to a person upon whom the world had already closed. The answer was: “I am suffering for a crime in which I never participated. If Sullivan is ever found, my innocence will appear.”

Sullivan *was* found before the next assizes, when he was tried and convicted upon the same evidence adduced against his master. Sullivan was a catholic; and after his conviction made a voluntary and full confession. It put the master's guilt beyond all question. The wretched girl, according to his statement, had insisted upon retaining in her own hands one half of the sum of which she had robbed her uncle. To obtain this, and also to disembarass himself of an incumbrance, her seducer planned her death. Sullivan undertook to be the executioner. After setting Ellen Walsh on shore, they returned to an unfrequented point near Carrickafoyle, where the instrument of murder, a musket, and a rope, lay concealed. With these and the unsuspecting victim, Sullivan put out in the boat. The master remained upon the strand.

After the interval of an hour, the boat returned, bearing back Ellen Hanlon unharmed. "I thought I had made up my mind," said the ruffian in his penitential declaration; "I was just lifting the musket to dash her brains out—but *when I looked in her innocent face, I had not the heart to do it.*" This excuse made no impression upon the merciless master. Sullivan was plied with liquor, and again despatched upon the murderous mission; the musket was once more raised, and—the rest has been told.\*

\* It may be mentioned as a striking instance of the belief in the declaration (made by no less a person than Lord Redesdale, who had been Irish lord-chancellor), "in Ireland there is one law for the rich, and another for the poor," that there are yet hundreds in the county of Limerick, who were present at this execution, and seriously believed that it was not Mr. Scanlan who was hanged, but some other prisoner who was rendered unconscious by means of strong narcotics. It was currently reported that, because he was a gentleman, Scanlan was allowed to escape to the United States, where he eventually came to a violent death! It is notorious that after the public execution of Fauntleroy, the London banker, for forgery, a motion for delay, in some case where a large amount of property was involved, was actually made in one of the law-courts at Westminster, grounded in an affidavit that Fauntleroy was alive in America, and that a commission should be sent over to take his examination as a witness. The motion was refused, as the fact of his continued existence was not *positively* sworn to, but it is surprising that the lawyer who made, and the judge who heard the motion, should have forgotten the plain and undoubted fact, that having been capitally condemned, Fauntleroy was *dead in law*, and his evidence, therefore, quite valueless.—M.

## HALL OF THE FOUR COURTS, DUBLIN

THE law, and the practice of the courts, in Ireland, are, with some trivial exceptions, precisely the same as in England;\* but the system of professional life in Ireland is in some respects different. I allude to the custom, which the Irish bar have long since adopted, of assembling daily for the transaction of business, or in search of it, if they have it not, in the "Hall of the Four Courts," Dublin. The building itself is a splendid one. Like the other public edifices of Dublin (and I might add, the private ones), it is an effort of Irish pride, exceeding far in magnificence the substantial wealth and civilization of the country. In the centre of the interior, and overcanopied by a lofty dome, is a spacious circular hall, into which the several courts of justice open.

I was fond of lounging in this place. From the hours of twelve to three it is a busy and a motley scene. When I speak of it as the place of daily resort for the members of the legal profession and their clients, I may be understood to mean that it is the general rendezvous of the whole community; for in Ireland almost every man of any pretensions that you meet, is either a plaintiff or defendant, or on the point of becoming so, and, when in Dublin, seldom fails to repair at least once a day to "the Hall," in order to look after his cause, and, by conferences with his lawyers, to keep up his mind to the true

\* There are no regular reports of the Irish cases. All the new authorities are imported from England; so that the accident of a fair or foul wind may sometimes affect the decision of a cause. "Are you sure, Mr. Plunket," said Lord Manners, one day, "that what you have stated is the law?"—"It unquestionably was the law half an hour ago," replied Mr. P. pulling out his watch, "but by this time the packet has probably arrived, and I shall not be positive."



litigating temperature. It is here, too, that the political idlers of the town resort, to drop or pick up the rumors of the day. There is also a plentiful admixture of the lower orders, among whom it is not difficult to distinguish the country-litigant. You know him by his mantle of frieze, his two boots and one spur; by the tattered lease, fit emblem of his tenement, which he unfolds as cautiously as Sir Humphrey Davy would a manuscript of *Herculaneum*; and, best of all, by his rueful visage, in which you can clearly read that some clause in the last ejectment-act lies heavy on his heart.

These form the principal materials of the scene; but it is not so easy to enumerate the manifold and ever-shifting combinations into which they are diversified. The rapid succession of so many objects, passing and repassing eternally before you, perplexes and quickly exhausts the eye. It fares still worse with the ear. The din is tremendous. Besides the tumult of some thousand voices in ardent discussion, and the most of them raised to the declamatory pitch, you have ever and anon the stentorian cries of the tipstaffs, bawling out, "The gentlemen of the special jury to the box!" or the still more thrilling vociferations of attorneys or attorneys' clerks, hallooing to a particular counsel that "their case is called on, and all is lost if he delays an instant!" Whereupon the counsel, catching up the sound of his name, wafted through the hubbub, breaks precipitately from the circle that engages him, and bustles through the throng, escorted, if he be of any eminence, by a *posse* of applicants, each claiming to monopolize him, until he reaches the entrance of the court, and, plunging in, escapes for that time from their importunate solicitations.

The bustle among the members of the bar is greatly increased by the circumstance of them all, with very few exceptions, practising in all the courts.\* Hence at every moment

\* The custom that prevails in Ireland, of counsel dividing themselves among the several courts, produces, particularly in important cases, an inconvenience similar to one that Cicero complains of as peculiar to the Roman forum in his day—the multiplicity of advocates retained upon each trial, and the absence of some of them during parts of the proceedings upon which they have afterward to comment.

you see the most eminent darting across the hall, flushed and palpitating from the recent conflict, and, no breathing-time allowed them, advancing with rapid strides and looks of fierce intent, to fling themselves again into the thick of another fight. It daily happens that two cases are to be heard in different courts, and in which the same barrister is the client's main support, are called on at the same hour. On such occasions it is amusing to witness the contest between the respective attorneys to secure their champion.

Mr. O'Connell, for instance, who is high in every branch of his profession, and peculiarly in request for what is termed "battling a motion," is perpetually to be seen, a conspicuous figure in this scene of clamor and commotion, balancing between two equally pressing calls upon him, and deploring his want of ubiquity. The first time he was pointed out to me, he was in one of these predicaments, suspended like Garrick in the picture between conflicting solicitations. On the one side an able-bodied, boisterous catholic attorney, from the county of Kerry, had laid his athletic gripe upon "the counsellor," and swearing by some favorite saint, was fairly hauling him along in the direction of the Exchequer; on the other side a more polished town-practitioner, of the established faith, pointed with pathetic look and gesture to the Common Pleas, and in tones of agony implored the learned gentleman to remember that "their case was actually on, and that if he were not at his post, the court would grant the motion, costs and all, against their client." On such occasions a counsel has a delicate task; but long habit enables him to assume a neutrality, if he has it not. In the instance alluded to, I could not sufficiently admire the intense impartiality manifested by the subject of contention toward each of the competitors for his learned carcass; but the physical force of the man from Kerry, aided perhaps by some local associations—for the counsellor is a "Kerry-man" himself—prevailed over all the moral wooing of his rival, and he carried off the prize.

The preceding are a few of the constant and ever-acting elements of noise and motion in this busy scene; but an extra sensation is often given to the congregated mass. The detec-

tion of a pickpocket (I am not speaking figuratively) causes a sudden and impetuous rush of heads, with wigs and without them, to the spot where the culprit has been caught *in flagrante*. At other times the scene is diversified by a group of fine girls from the country, coming, as they all make a point of doing, to see the courts, and show themselves to the junior bar. A crowd of young and learned gallants instantaneously collects, and follows in their wake: even the arid veteran will start from his legal reverie as they pass along, or, discontinuing the perusal of his deeds and counterparts, betray by a faint leer that, with all his love of parchment, a fine skin, glowing with the tints that life and nature gave it, has yet a more prevailing charm. Lastly, I must not omit that the Hall is not unfrequently thrown into "confusion worse confounded" by that particular breach of his majesty's Irish peace, improperly called a "horsewhipping." When an insult is to be avenged, this place is often chosen for its publicity as the fittest scene of castigation.

But this scene, though at first view the emblem of inextricable confusion, will yet, when frequently contemplated, assume certain forms approaching to regular combination: thus, after an attendance of a few days, if you perambulate the arena, or stand upon some elevated point from which you can take in the whole, you will recognise, especially among the members of the bar, the same individuals, or classes, occupied or grouped in something like an habitual manner. On the steps outside the entrance to the Court of Chancery, your eye will probably be caught by the imposing figure and the courteous and manly features of Bushe,\* waiting there till his turn comes to refute some long-winded argument going on within, and to which, as a piece of forensic finesse, he affects a disdain to listen: or, near the same spot, you will light upon the less social but more pregnant and meditative countenance of Plunket,† as he paces to and fro alone, resolving some matter of imperial moment, until he is roused from these more congenial musings, and hurries on to court, at the call of the shrill-tongued crier, to simplify or em-

\* Charles Kendal Bushe, afterward lord chief-justice of Ireland.—M.

† Now Lord Plunket, ex-lord chancellor of Ireland.—M.



barrass some question of equitable altercation: or, if it be a *nisi-pris* day in any of the law-courts, you may observe outside, the delight of Dublin jurors, Mr. H. D. Grady, working himself into a jovial humor against the coming statement, and with all the precaution of an experienced combatant, squibbing his "jury-eye," lest it should miss fire when he appears upon the ground.

Or, to pass from individuals to groups, you will daily find, and pretty nearly upon the same spot, the same little circles or coteries, composed chiefly of the members of the junior bar, as politics, or community of tastes, or family connections, may bring them together. Among these you will readily distinguish those who by birth or expectations consider themselves to be identified with the aristocracy of the country: you see it in their more fashionable attire and attitudes, their joyous and unworn countenances, and in the lighter topics of discussion on which they can afford to indulge. At a little distance stands a group of quite another stamp—pallid, keen-eyed, anxious aspirants for professional employment, and generally to be found in vehement debate over some dark and dreary point of statute or common law, in the hope that, by violently rubbing their opinions together, a light may be struck at last. A little farther on you will come upon another, a group of learned vetoists and anti-vetoists, where some youthful or veteran theologian is descanting upon the abominations of a schism, with a running accompaniment of original remarks upon the politics of the Vatican, and the character of Cardinal Gonsalvi. Close to these again—but I find that I should never have done, were I to attempt comprising within a single view the endless and complicated details of this panoramic spectacle, or to specify the proportions in which the several subjects discussed here respectively contribute to form the loud and ceaseless buzz that rises and reverberates through the roof.

This daily assemblage of the Irish Bar, in a particular spot, enables you to estimate at a glance the extraordinary numbers of that body, and to perceive what an enormous excess they bear to the professional occupation which the country can by possibility afford. After all the Courts are filled to the brim,

there still remains a legal population to occupy the vast arena without. I was particularly struck by the number of young men (many of them, I was assured, possessed of fine talents, which, if differently applied, must have forced their way) who from term to term, and year to year, submit to "trudge the Hall," waiting till their turn shall come at last, and too often harassed by forebodings that it may never come. It was not difficult to read their history in their looks: their countenances wore a sickly, pallid, and jaded expression;\* the symbols of hope deferred, if not extinguished; there was even something, as they sauntered to and fro, in their languid gait and undecided movements, from which it could be inferred that their sensations were melancholy and irksome. I was for some time at a loss to account for this extreme disproportion between the supply and the demand—so much greater than any ever known to exist in England.

During my stay in Dublin, I accidentally fell into conversation with an intelligent Irish gentleman, who in the early part of his life had been connected for some years with the

\* I have heard several medical men of Dublin speak of the air of the courts and hall, as particularly unwholesome. Besides the impurity communicated to the atmosphere by the crowds that collect there, the situation is low and marshy. The building is so close to the river Liffey, that fears have been entertained for the safety of the foundation. Formerly, before the present quay was constructed, the water in high tides sometimes made its way into the hall. The mention of this reminds me of one or two of Curran's jokes:—upon one occasion, not only the hall, but the subterraneous cellars in which the bar-dresses are kept, were inundated. When the counsel went down to robe, they found their wigs and gown afloat; Curran, for whom a cause was waiting seized the first that drifted within reach, and appeared in court, dripping like a river-god. "Well, Mr. Curran," asked one of the judges, "how did you leave your friends coming on below?"—"Swimmingly, my lord." In the course of the morning, one of these learned friends (who, from missing his footing, had come in for a thorough sousing) repeatedly protested to their lordships, that he should feel *ashamed* to offer such and such arguments to the court. Curran, in reply, complimented him upon his delicacy of feeling, which he represented as "truly a high and rare strain of modesty, in one who had just been *dipped in the Liffey*." [As an Irishman who has that facility of speech and compliment called "the gift of the gab," is usually mentioned as having *kissed the Blarney-stone*; so if a native be particularly impudent (which is impossible, of course!) it is said that he has been *dipped in the Liffey*—the river which runs through Dublin.—M.

profession of the law. I mentioned what I had observed, and asked for an explanation. He gave it pretty nearly as follows; I am inclined to confide in what he stated as substantially correct. — “Your remark is just, that our bar is grievously overstocked; and crowds of fresh members are flocking to it every term, as if for the sole purpose, and certainly with the effect, of starving one another. If the annual emoluments of the profession were collected into a common fund, and equally distributed among the body, the portion of each would not exceed a miserable pittance. The inordinate preference for the profession of the bar in Ireland arises from many causes. As one of the chief, I shall mention the preposterous ambition of our gentry, and their fantastic sensitiveness on the article of ‘family pride.’ An Irish father’s first anxiety is to give his son a calling in every way befitting the ancient dignity of his name; and in this point of view, the bar has peculiar attractions. It is not merely that it may, by possibility, lead to wealth, or perhaps, to a peerage or a seat in the privy council — though these are never left out of the account — but, independently of all this, an adventitious dignity has been conferred upon it, as a profession, by the political circumstances of the country. Until the act of 1792, no Catholic could become a barrister: all the emoluments and dignities of the law were the exclusive property of the privileged few; and they were so considerable, that the highest families in the kingdom rushed in to share them. This stamped an aristocratic character and importance upon the profession. To be a ‘counsellor’ in those days, was to be no ordinary personage. Many of them belonged to noble houses; many were men of name and authority in the state; all of them, even the least distinguished, caught a certain ray of glory from the mere act of association with a favored class, contending for the most dazzling objects of competition. Much of this has passed away; but a popular charm, I should rather say a delusion, still attaches to the name; and parents, duped by certain vague and obsolete associations, continue to precipitate their sons into this now most precarious career, without the least advertence to their substantial prospects of success, and in utter



ignorance of the peculiar habits and talents required to obtain it. It is a common by-word with us, that 'no one who really deserves to succeed at our bar, will fail.' This may be very true; but what a complication of qualities, what a course of privation, what trials of taste, and temper, and pride, are involved in that familiar and ill-understood assertion.

"A young barrister who looks to eminence from his own sheer unaided merits, must have a mind and frame prepared by nature for the endurance of unremitting toil. He must cram his memory with the arbitrary principles of a complex and incongruous code, and be equally prepared, as occasion serves, to apply or misapply them. He must not only surpass his competitors in the art of reasoning right from right principles—the logic of common life; but he must be equally an adept in reasoning right from wrong principles, and wrong from right ones. He must learn to glory in a perplexing sophistry, as in the discovery of an immortal truth. He must make up his mind and his face to demonstrate, in open court, with all imaginable gravity, that nonsense is replete with meaning, and that the clearest meaning is manifestly nonsense by construction. This is what is meant by 'legal habits of thinking;' and to acquire them, he must not only prepare his faculties by a course of assiduous and direct cultivation, but he must absolutely forswear all other studies and speculations that may interfere with their perfection. There must be no dallying with literature; no hankering after comprehensive theories for the good of men; away must be wiped all such 'trivial fond records.' He must keep to his digests and indexes. He must see nothing in mankind but a great collection of plaintiffs and defendants, and consider no revolution in their affairs as comparable, in interest, to the last term reports of points of practice decided in *banco regis*. As he walks the streets, he must give way to no sentimental musings. There must be no 'commercing with the skies;' no idle dreams of love, and rainbows, and poetic forms, and all the bright illusions upon which the 'fancy free' can feast. If a thought of love intrudes, it must be connected with the law of marriage settlements, and articles of separation from bed and board. So

of the other passions ; and of every the most interesting incident and situation in human life—he must view them all with reference to their ‘legal effect and operation.’ If a funeral passes by, instead of permitting his imagination to follow the mourners to the grave, he must consider how far the executor may not have made himself liable for a waste of assets, by some supernumerary plumes and hatbands, beyond ‘the state and circumstances of the deceased ;’—or if his eye should light upon a requisition for a public meeting, to petition against a grievance, he must regard the grievance as immaterial, but bethink himself whether the wording of the requisition be strictly warrantable, under the provisions of the Convention Act.

“Such is a part, and a very small part, of the probationary discipline to which the young candidate for forensic eminence must be prepared to submit ; and if he can hold out for ten or fifteen years, his superior claims may begin to be known and rewarded. But success will bring no diminution of toil and self-denial. The bodily and mental labor alone of a successful barrister’s life would be sufficient, if known beforehand, to appal the stoutest. Besides this, it has its many peculiar rubs and annoyances. His life is passed in a tumult of perpetual contention, and he must make up his sensibility to give and receive the hardest knocks. He has no choice of cases ; he must throw himself heart and soul into the most unpromising that is confided to him. He must fight pitched battles with obstreperous witnesses. He must have lungs to outclamor the most clamorous. He must make speeches without materials. He must keep battering for hours at a jury that he sees to be impregnable. He is before the public, and at the mercy of public opinion, and if every nerve be not strained to the utmost to achieve what is impossible, the public, with its usual good-nature, will attribute the failure to want of zeal or capacity in the advocate—to anything rather than the badness of the cause. Finally, he must appear to be sanguine, even after a defeat ; and be prepared to tell a knavish client, that has been beaten out of the courts of common law, that his ‘is a clear case for relief in equity.’ The man who can do all this de-

serves to succeed, and will succeed; but unless he be gifted with the rare qualifications of such men as Curran,\* Bushe, and Plunket, or be lifted by those fortuitous aids upon which few have a right to count, he can not rationally expect to arrive at eminence in his profession upon less rigorous conditions.

"Hitherto," continued my informant, "I have been speaking of such as come to the bar as simply and solely to a scene of professional exertion; but there is another and a still more numerous class, who are sent to it for the sake of the lucrative offices with which it abounds. It was no sooner discovered that our bar was uninfluential, and likely, on occasions, to be a troublesome body in the state, than the most decisive measures were taken to break its spirit. Places were multiplied beyond all necessity and all precedent in England. By a single act of Parliament, two and thirty judicial offices were created, to be held by barristers of six years' standing, and averaging each from five to eight hundred pounds a year. This was one of the political measures of the late Lord Clare,†

\* John Philpot Curran, formerly master of the rolls in Ireland (born in 1750, and died in 1817), memorable alike for genius and geniality—eloquence and patriotism—wit and pathos. His forensic exertions in defence of the victims of arbitrary power, during the closing years of the last century, were alike fearless, independent, and chivalrous.—M.

† John Fitzgibbon, Earl of Clare, who is described by Barrington as a "despot and the greatest enemy Ireland ever had," was the son of a gentleman in the county of Limerick, who had been a Roman catholic, and intended for a priest, but changing his tenets, became an eminent barrister and member of Parliament. It is untrue, as reported, that Fitzgibbon was originally poor and of low birth; one of his sisters married Mr. Jeffreys, the rich owner of Blarney Castle, and is immortalized in song as

"——Lady Jeffreys who owns this station.

Like Alexander or like Helen fair,

There's no commander throughout the nation,

In emulation can with her compare,"

and the other espoused Beresford, Archbishop of Tuam. Born in 1749, John Fitzgibbon entered Trinity college, Dublin, in 1763, where he was in the same division with Henry Grattan, with whom he competed for collegiate honors, many of which he obtained. It is not generally known that, after obtaining his B. A. degree, he was a member of Christ Church, Oxford, having been admitted *ad eundem*, and became M. A. of the English university, in 1770. Admitted barrister, in Dublin, he speedily obtained extensive practice. His fee-book



an able lawyer, and excellent private character; but, like many other sound lawyers and worthy gentlemen, a most mischievous statesman. He had felt in his own experience how far the receipt of the public money may extinguish a sensibility to public abuses. And he planned and passed the bar-bill. The same policy has been continued to the present day. The profession teems with places of emolument; and the consequence is, that every subdivision of the 'parliamentary interest' deposes its representative, to get forward in the ordinary way, as talents or chance may favor him, but at all events to receive, in due time, his distributive portion of the general patronage.

"I must add, as highly to the credit of the Irish bar, that their personal independence, in the discharge of their professional duties, has continued as it used to be in the best days of their country. The remark applies to the general spirit of

showed that from June 19, 1772, when he commenced practice, until December, 1789, he received forty-five thousand nine hundred and twelve pounds sterling, from his profession. In 1782 his income was six thousand, seven hundred and two pounds sterling. In 1784, he was appointed Attorney-General, owing his elevation as much to his political support of the Government, as member of Parliament, as to his legal merit. On the death of Lord Chancellor Lifford, in 1789, Mr. Fitzgibbon was appointed his successor (not without violent opposition from Thurlow, Chancellor of England, who contended that his Irish birth should prevent his holding the highest law-office in Ireland), and from that time until his death, in January, 1802, was virtually ruler of Ireland—intolerant, harsh, and unforgiving. In the earlier part of his career, having fought a duel with Mr. Curran (at whom he took deliberate aim), he continued his resentment after he became Judge, and let it be seen, by contemptuous treatment and hostile decisions, that the great advocate had not "the ear of the Court." In 1789, he was created Baron Fitzgibbon, in the peerage of Ireland. In 1793, he was advanced to the rank of Viscount. In 1795, he was made Earl of Clare, and was created an English Baron in 1799, in reward for his severity during the Rebellion of '98. He was appointed Vice-Chancellor of Dublin University, in 1791. Moore, in the auto-biographical prefaces to his poems, gives an interesting account of the searching examination to which he and other young members of Trinity College were subjected by Lord Clare under suspicion of holding "rebellious principles." Implacable in his political and personal enmities, Lord Clare had few friends. He ruled with a rod of iron, and for twelve years was hated by the bulk of the Irish, whom he so much, and so long oppressed.—M.

the entire body. There may be exceptions that escaped my observation; but I could perceive no symptoms of subserviency—no surrender of the slightest tittle of their clients' rights to the frowns or impatience of the bench. I was rather struck by the peculiarly bold and decisive tone, with which, when occasions arose, they asserted the privileges of the advocate.

“While I am upon this subject, I can not omit a passing remark upon another quality, by which I consider the gentlemen of this bar to be pre-eminently distinguished—the invariable courtesy of manners which they preserve amid all the hurry and excitement of litigation. The present Chancellor of Ireland,\* himself a finished gentleman, was struck upon his arrival ‘by the peculiarly gentlemanlike manner in which he observed business transacted in his court.’ Mr. Bushe is the great model of this quality. He hands up a point of law to the bench with as much grace and pliancy of gesture, as if he were presenting a court-lady with a fan. This excessive finish is peculiar to himself; but the spirit which dictates it is common to the entire profession. Scenes of turbulent altercation are inevitably frequent, and every weapon of disputation—wit and sneers, and deadly brain-blows—must be employed and encountered; but the contest is purely intellectual: it is extremely rare, indeed, that anything approaching to an offensive personality escapes. No ultra-forensic warmth occurs in the Irish courts. It is avoided on common principles of good taste: it is also prevented, if I am rightly informed, by the understood feeling that anything bordering upon personal rudeness must infallibly lead to a settlement out of Court.”†

When I first frequented the courts in Dublin, I went entirely with the view of witnessing the specimens of forensic talent displayed there. I found more than I had expected; and one circumstance that very forcibly struck me demands a few words apart. I would recommend to any stranger wishing to

\* The late Lord Manners.—M.

† Sir Jonah Barrington, in the amusing “Personal Sketches of his own Time,” dedicates a chapter to the Fire-eaters of Dublin, and gives a list of leading personages (including about a dozen judges) who had fought duels in his time. He says: “The number of killed and wounded among the bar was very considerable. The other learned professions suffered much less.”—M.

obtain a thorough insight into the state of manners and morals in the interior of Ireland, without incurring the risk of a visit to the remoter districts, to attend, upon a few motion-days, in any of the Irish courts of common-law. A large portion of these motions relate to ineffectual attempts to execute the process of the law; and the facts that daily come out, offer a frightful and most disgraceful picture of the lawless habits of the lower, and also, I regret to add, of the higher orders of the community. One of our judges in Westminster Hall would start from his seat in wonder and indignation at the details of scenes to which the Irish judges, from long familiarity, listen almost unmoved, as to mere ordinary outrages of course. The office of a process-server in Ireland appears to be, indeed, a most perilous occupation, and one that requires no common qualities in the person that undertakes it: he must unite the courage and strength of the common soldier with the conduct and skill in stratagem of the experienced commander; for wo betide him, if he be deficient in either. The moment this hostile herald of the law is known to be hovering on the confines of a Connaught gentleman's domain (that sacred territory into which his Majesty's writs have no right to run), the proud blood of the defendant swells up to the boiling point, and he takes the promptest measures to repel and chastise the intruder: he summons his servants and tenants to a council of war; he stiffens their fidelity by liberal doses of "mountain-dew;"\* they swear they will stand by "his honor" to the last. Preparations as against a regular siege ensue; doors and windows are barred; sentinels stationed; blunderbusses charged; approved scouts are sent out to reconnoitre; and skirmishing parties, armed with cudgels and pitchforks, are detached along every avenue of approach. Having taken these precautions, the magnanimous defendant shuts himself up in his inmost citadel to abide the issue. The issue may be anticipated; the messenger of the law is either deterred from coming near, or, if he has the hardihood to face the danger, he is waylaid and

\* Illicit whiskey—so called, from being generally distilled on the mountainous tracts. [Sometimes called *potheen*, as made in a little pot, or *Innoshowen*, from the locality where the best was produced.—M.]



beaten black and blue for his presumption: if he shows the King's writ, it is torn from him, and flung back in fragments in his face. Resistance, remonstrance, and entreaties, are all unavailing; nothing remains for him but to effect his retreat, if the power of moving be left him, to the nearest magistrate, not in the interest of the defendant, where with the help of some attorney that will venture to take a fee against "his honor," he draws up a bulletin of his kicks and bruises in the form of an affidavit, to ground a motion that "another writ do issue;" or, as it might be more correctly worded, "that another process-server do expose himself to as sound a thrashing as the last." This is not an exaggerated picture; and in order to complete it, it should not be omitted that the instigator of the outrage, as soon as he can with safety appear abroad, will, to a certainty, be found among the most clamorous for proclamations and insurrection-acts, to keep down the lawless propensities of his district.\*

I have offered a specimen of Irish society, as I could collect it from affidavits daily produced in court; yet, shocking and disgusting as the details are, I confess it is not easy to repress a smile at the style in which those adventurous scenes are described. The affidavits are generally the composition of country attorneys. The maltreated process-server puts the story of his injured feelings and beaten carcase into the hands

\* Considerable ingenuity used to be exercised in the treatment of process-servers in Ireland. It was said, as a sort of boast, that "the King's writ would not run in Connaught." This meant that nobody could serve it. To say of any stranger, in that district, that he looked like a process-server, was to condemn him, at the least, to an utter impossibility of obtaining food, fire, and lodging, whether for love or money. If a man were found with a copy of a writ in his pocket, waiting the opportunity to serve it on a popular defendant, he was simply condemned, in the first instance, to make a meal, scrap by scrap, until they were consumed, of the parchment original and the paper copy. If detected a second time, the common penalty was to have his ears cut off. A third attempt was rarely made, the punishment being to take off the culprit's shirt, hold him on the ground, and draw a thorny furze-bush over his back, to and fro, until it was shockingly lacerated. This agreeable and humane practice, which was called *carding*, chiefly prevailed in Tipperary. At present, among other changes in Ireland, is the tolerance of legal satellites. Writs now "run" in Connaught and Tipperary, quite as freely as in Devonshire or Durham.--M.

of one of these learned penmen; and I must do them the justice to say, that they conscientiously make the most of the task confided to them. They have all a dash of national eloquence about them; the leading qualities of which, metaphor, pathos, sonorous phrase, impassioned delineation, &c., they liberally embody with the technical details of facts, forming a class of oratory quite unknown to the schools—"The Oratory of the Affidavit." What British adviser, for instance, of matters to be given in on oath, would venture upon such a poetical statement as the following, which I took down one day in the Irish Court of Common Pleas: "And this deponent farther saith, that on arriving at the house of the said defendant, situate in the county of Galway aforesaid, for the purpose of personally serving him with the said writ, he the said deponent knocked three several times at the outer, commonly called the hall-door, but could not obtain admittance; whereupon this deponent was proceeding to knock a fourth time, when a man, to this deponent unknown, holding in his hands a musket or blunderbuss, loaded with balls or slugs, as this deponent has since heard and verily believes, appeared at one of the upper windows of said house, and, presenting said musket or blunderbuss at this deponent, threatened, that 'if said deponent did not instantly retire, he would send his, this deponent's, soul to hell;' *which this deponent verily believes he would have done*—had not this deponent precipitately escaped."

## DANIEL O'CONNELL.

IF any one, being a stranger in Dublin, should chance, as you return upon a winter's morning from one of the "small and early" parties of that raking metropolis—that is to say, between the hours of five and six o'clock—to pass along the south side of Merrion Square,\* you will not fail to observe that among those splendid mansions there is one evidently tenanted by a person whose habits differ materially from those of his fashionable neighbors. The half-opened parlor-shutter, and the light within, announce that some one dwells there whose time is too precious to permit him to regulate his rising with the sun's. Should your curiosity tempt you to ascend the steps, and, under cover of the dark, to reconnoitre the interior, you will see a tall, able-bodied man standing at a desk, and immersed in solitary occupation. Upon the wall in front of him there hangs a crucifix. From this, and from the calm attitude of the person within, and from a certain monastic rotundity about his neck and shoulders, your first impression will be, that he must be some pious dignitary of the Church of Rome absorbed in his matin devotions.

But this conjecture will be rejected almost as soon as formed. No sooner can the eye take in the other furniture of the apartment—the book-cases clogged with tomes in plain calf-skin binding, the blue-covered octavos that lie about on the tables and the floor, the reams of manuscript in oblong folds and begirt with crimson tape—than it becomes evident that the party meditating amid such objects must be thinking far more

\* One of the principal squares in Dublin, in which Mr. O'Connell resided for about thirty years.—M.



of the law than the prophets. He is, unequivocally, a barrister, but apparently of that homely, chamber-keeping, plodding cast, who labor hard to make up by assiduity what they want in wit—who are up and stirring before the bird of the morning has sounded the retreat to the wandering spectre—and are already brain-deep in the dizzying vortex of mortgages and cross-remainders, and mergers and remitters; while his clients, still lapped in sweet oblivion of the law's delay, are fondly dreaming that their cause is peremptorily set down for a final hearing. Having come to this conclusion, you push on for home, blessing your stars on the way that you are not a lawyer, and sincerely compassionating the sedentary drudge whom you have just detected in the performance of his cheerless toil.

But should you happen, in the course of the same day, to stroll down to the Four Courts, you will be not a little surprised to find the object of your pity miraculously transferred from the severe recluse of the morning into one of the most bustling, important, and joyous personages, in that busy scene. There you will be sure to see him, his countenance braced up and glistening with health and spirits\*—with a huge, plethoric bag, which his robust arms can scarcely sustain, clasped with paternal fondness to his breast—and environed by a living palisade of clients and attorneys, with outstretched necks, and mouths and ears agape, to catch up any chance-opinion that may be coaxed out of him in a colloquial way, or listening to what the client relishes still better (for in no event can they be slid into a bill of costs), the counsellor's bursts of jovial and familiar humor, or, when he touches on a sadder strain, his prophetic assurances that the hour of Ireland's redemption is at hand. You perceive at once that you have lighted upon a great popular advocate; and if you take the trouble to follow his movements for a couple of hours through the several Courts, you will not fail to discover the qualities that have made him so—his legal competency—his business-like habits—his san-

\* O'Connell was a man of lofty stature, strong build, general good health, and accustomed to a great deal of exercise. His three months' imprisonment in Richmond Penitentiary, after the State Trials of 1844, may be said to have broken up his strong constitution. The prisoned eagle pined for want of its wonted free range over mountain, plain, and valley.—M.

guine temperament, which renders him not merely the advocate but the partisan of his client—his acuteness—his fluency of thought and language—his unconquerable good-humor—and, above all, his versatility.

By the hour of three, when the judges usually rise, you will have seen him go through a quantity of business, the preparation for, and performance of which, would be sufficient to wear down an ordinary constitution, and you naturally suppose that the remaining portion of the day must of necessity be devoted to recreation or repose: but here, again, you will be mistaken; for should you feel disposed, as you return from the Courts, to drop in to any of the public meetings that are almost daily held for some purpose, or to no purpose, in Dublin, to a certainty you will find the counsellor there before you, the presiding spirit of the scene, riding in the whirlwind, and directing the storm of popular debate, with a strength of lungs, and redundancy of animation, as if he had that moment started fresh for the labors of the day. There he remains until, by dint of strength or dexterity, he has carried every point; and thence, if you would see him to the close of the day's "eventful history," you will, in all likelihood, have to follow him to a public dinner, from which, after having acted a conspicuous part in the turbulent festivity of the evening, and thrown off half a dozen speeches in praise of Ireland, he retires at a late hour to repair the wear and tear of the day by a short interval of repose, and is sure to be found before dawn-break next morning at his solitary post, recommencing the routine of his restless existence. Now, any one who has once seen, in the preceding situations, the able-bodied, able-minded, acting, talking, multifarious person I have been just describing, has no occasion to inquire his name: he may be assured that he is, and can be, no other than "Kerry's pride and Munster's glory," the far-famed and indefatigable DANIEL O'CONNELL.

Mr. O'Connell was born about eight-and-forty years ago, in that part of the united kingdoms of Ireland and Kerry, called Kerry.\* He is said to be descended in a mathematically and

\* This sketch appeared in 1823. Daniel O'Connell, born August 6, 1775, died on the 15th of May, 1847, in his seventy-second year. He was of a long-

morally straight line from the ancient kings of Ivera, one of the kingdoms of the county of Kerry. The discrowned family, however, have something better than the saddening boast

lived family, for his uncle Maurice, from whom he inherited Derrynane abbey, was 97, at his death, in 1825; and another uncle, General O'Connell, in the French service, and grand-cross of the order of St. Louis, died in 1834, aged 91. He was then not only a general in the French, but oldest colonel in the English service, and the present military tactics of Europe emanated, in 1787, from a military board in which he was the lowest in rank, but highest in ability. In Easter Term, 1798 (a few months before the "Rebellion"), O'Connell was called to the Irish bar, and his ability and industry soon obtained him business. In 1802, he married his cousin. He opposed the Union, and in 1809, commenced his public agitation for Catholic emancipation. He became a leader of the Catholic Board, and when that body was put down by the Irish government, while others silently submitted, O'Connell assumed the leadership and published the first of his annual letters to the people of Ireland, headed with the motto, from Childe Harold,

"Hereditary bondsmen, know ye not,  
Who would be free, themselves must strike the blow."

At aggregate and other public meetings of the Catholics, he was the chief speaker and doer, for years. In 1815, he was forced into a duel with Mr. D'Esterre, one of the city of Dublin corporation, and the assailant fell. A subsequent misunderstanding with Mr. (the late Sir Robert) Peel, then Secretary for Ireland, led to a challenge, but the duel was prevented by the arrest of O'Connell, on his way to Calais, whither Peel had gone, as beyond the jurisdiction of British law. At that time, O'Connell determined never again to become a combatant. From 1815, until 1831, when he left the bar, his professional income averaged from six thousand to eight thousand pounds sterling a year, and on his uncle's death in 1825, he succeeded to landed property estimated at four thousand pounds sterling per annum. He was, beyond all doubt, the best general lawyer in Ireland. In 1821, on the visit of George IV. to Ireland, he played the courtier—more genially than gracefully. In 1823, he founded the Catholic Association, in conjunction with Mr. Sheil—organized the catholic rent, by which the battle of the people was fought at the election hustings—formed one of a deputation to England, to adjust the catholic claims—committed the error of consenting to accept emancipation, clogged with "the wings" (i. e. state payment of the catholic clergy, and confiscation of the forty shillings sterling elective franchise) was baffled by the intolerants—ventured in 1828, on the bold expedient of contesting the Clare election, against a popular member of the Wellington cabinet—was elected, and thereby forced Wellington to concede Emancipation, in 1829—had a seat in parliament until his death—was of great weight as a public man, by reason of his eloquence, tact, and influence, carrying forty Irish members with him in a division—aided the Melbourne ministry against Peel—was offered and declined a seat on the judicial bench, as Master of the Rolls in Ireland—carried on the "Repeal" agitation,



of regal descent to prop their pride. His present ex-Majesty of Ivera, Mr. Daniel O'Connell's uncle, has a territorial revenue of four or five thousand a year to support the dignity of his traditional throne; while the numerous princes of the blood, dispersed through the dominions of their fathers, in the characters of tenants in fee-simple, opulent leaseholders, or sturdy mortgagees in possession, form a compact and powerful squirearchy, before whose influence the proud "descendants of the stranger" are often made to bow their necks, in the angry collisions of county politics. The subject of the present notice is understood to be the heir-apparent to his uncle's possessions. These he must soon enjoy, for his royal kinsman has passed his ninetieth year.\* In the meantime he rules in his own person an extensive tract among the Kerry hills—of little value, it is said, in point of revenue, but dear to the possessor as the residence of the idol of his heart, and in truth almost the only tenant on three fourths of the estate—

"The mountain-nymph, sweet Liberty."

Mr. O'Connell was originally intended for the Church, or, more strictly speaking, for the Chapel. He was sent, according to the necessities of the time, to be educated at St. Omer; for in those days the wise government of Ireland would not allow the land of Protestant ascendancy to be contaminated by a public school of Catholic theology. Dr. Duigenan was compelled to permit the detested doctrines to be freely preached; but to make the professors of them good subjects, he shrewdly insisted that they should still, as of old, be forced to cross the seas, and lay in a preliminary stock of Irish loyalty at a foreign university. But the dread of indigenious theology was

during all this time—was prosecuted for presumed overt-acts, in 1843, and condemned, with others, after a trial which lasted twenty-five days—was convicted—had the judgment reversed, by the House of Lords, after he and his friends had been three months in prison, and, soon after, saw his own moderate policy opposed by the bolder leaders of the "Young Ireland" party, whereby his own popularity declined—suffered from declining health—went to Italy, and died at Genoa, before he could reach Rome, "the City of the Soul" to so earnest a Catholic as he was.—M.

\* Maurice O'Connell did not die until 1825, two years after this sketch appeared.—M.

not peculiar to that great man\*. I observe that some English statesmen have discovered that *all* the disasters of Ireland have been caused by an invisible establishment of Jesuits, and must continue until the omnipotence of Parliament shall expel the intruders—a felicitous insight into cause and effect, resembling that of the orthodox crew of a British packet, who, having discovered, during a gale of wind, that a Methodist preacher was among the passengers, at once made up their minds that the fury of the tempest would never abate until the vessel should be exorcised by heaving the nonconformist overboard.

I have not heard what occasioned Mr. O'Connell to change his destination. He probably had the good sense to feel that he had too much flesh and blood for a cloister; and the novelty of a legal career to a Catholic (for the Bar had just been opened to his persuasion) must have had its attractions. He accordingly left St. Omer, with its casuistry, and fasting, and vesper-hymns, to less earthly temperaments; and having swallowed the regular number of legs of mutton at the Middle Temple, was duly admitted to the Irish Bar in Easter term, 1798. The event has justified his choice. With all the impediments of his religion and his politics, his progress was rapid. He is now, and has been for many years, as high in his profession as it is possible for a Catholic to ascend.

Mr. O'Connell, if not the ablest, is certainly the most singular man at the Irish Bar. He is singular, not merely in the vigor of his faculties, but in their extreme variety and apparent inconsistency; and the same may be said of his character. The elements of both are so many and diverse, that it would seem as if half a dozen varieties of the human species, and

\* Patrick Duigenan, LL.D, remarkable even amid Irish absolutism and ultra-Protestantism, for his defence of arbitrary power and his rank intolerance. He was the bosom friend and abettor of Lord Clare, the chancellor of Ireland, and was his adviser and agent, in public matters, for many years. Dr. Duigenan was born in 1735, of humble parents and died in 1816. Called to the bar, he became King's advocate in, and subsequently Judge of, the Prerogative Court, in Dublin. He was also vicar-general of the Arch-diocese of Armagh, Member of Parliament, Doctor of Laws, and a Privy Councillor. He was a pamphleteer of more fecundity than force, and one of the most violent anti-Catholic partisans of his day.—M.

these not always on the best terms with each other, had been capriciously huddled together into a single frame to make up his strange and complex identity; and hence it is, that, though he is a favorable subject for a sketch, I find the task of accurate delineation to be far less easy than I anticipated. I have the man before me, and willing enough, it would appear, that his features should be commemorated; but, like the poor artist that had to deal with the frisky philosopher of Ferney,\* with all my efforts I can not keep him steady to any single posture or expression. I see him distinctly at one moment a hard-headed working lawyer, the next a glowing politician, the next an awful theologian; his features now sunk into the deepest shade of patriotic anguish, now illuminated, no one can tell why, as for the celebration of a national triumph. A little while back I caught him in his character of a sturdy reformer, proclaiming the constitution, and denouncing the vices of courts and kings, and he promised me that he would keep to *that*; but, before I had time to look about me, there he was, off to the levee! be-bagged and be-sworded like any oppressor of them all, playing off his loyal looks and anti-radical bows, as if he was to be one of Mr. Blake's† next baronets, or as if he had not sufficiently proved his attachment to the throne by presenting his majesty with a crown of Irish laurel

\* Francis Marie Arouet de Voltaire, born in 1694, died 1778. He was imprisoned in the Bastille, in 1716, on suspicion of having libelled the Government. Here he planned his poem of the "*Henriade*," and wrote the tragedy of *Œdipus*, acted in 1718, with marked success. Henceforth his career was wholly literary, but his political and philosophical opinions constantly set him at issue with "the powers that be," and much of his time was passed in exile. In 1743, his play of "*Merope*," was so well received at Paris, that he was appointed gentleman of the King's bed-chamber, and historiographer of France. In 1750, he went to Berlin, on a visit to Frederic of Prussia, with whom he speedily quarrelled. Finally he retired to the village of Ferney, in Switzerland, where he lived during the rest of his life, with Madame Denis, his niece. His works, in seventy octavo volumes, include nearly all departments of polite literature—chiefly poetry, history, biography, fiction, philosophy, criticism, and the drama. A few days before his death, he was publicly crowned with laurel on the stage of the theatre in Paris.—M.

† Mr. Blake, who filled the lucrative office of Chief Remembrancer of the Court of Exchequer, was a Catholic who contrived to be "hand and glove" with all parties, with his sincerity questioned by none.—M.



on the beach of Dunleary.\* Such a compound can be described only by enumerating its several ingredients; and even here I am not sure that my performance, if rigidly criticised, may not turn out, like my subject, to be occasionally at variance with itself. I shall begin with (what in other eminent lawyers is subordinate) his individual and extra-professional peculiarities; for in O'Connell these are paramount, and act a leading part in every scene, whether legal or otherwise, of his complicated avocations.

His frame is tall, expanded, and muscular; precisely such as befits a man of the people—for the physical classes ever look with double confidence and affection upon a leader who represents in his own person the qualities upon which they rely. In his face he has been equally fortunate; it is extremely comely. The features are at once soft and manly; the florid glow of health and a sanguine temperament is diffused over the whole countenance, which is national in the outline, and beaming with national emotion. The expression is open and confiding, and inviting confidence; there is not a trace of malignity or wile—if there were, the bright and sweet blue eyes, the most kindly and honest-looking that can be conceived, would repel the imputation. These popular gifts of nature O'Connell has not neglected to set off by his external carriage and deportment—or, perhaps, I should rather say, that the same hand which has moulded the exterior has supersaturated the inner man with a fund of restless propensity, which it is quite beyond his power, as it is certainly beside his inclination, to control. A large portion of this is necessarily expended upon his legal avocations; but the labors of the most laborious of professions can not tame him into repose: after deducting the daily drains of the study and the courts, there remains an ample residuum of animal spirits and ardor for occupation, which go to form a distinct, and, I might say, a predominant character—the political chieftain. The existence of this overweening vivacity is conspicuous in O'Connell's manners and movements, and being a popular, and more

\* After the visit of George IV. in 1821, Dunleary (the port of Dublin) obtained and keeps the name of Kingston.—M.

particularly a national quality, greatly recommends him to the Irish people—" *Mobilitate viget*"—body and soul are in a state of permanent insurrection.

See him in the streets, and you perceive at once that he is a man who has sworn that his country's wrongs shall be avenged. A Dublin jury (if judiciously selected) would find his very gait and gestures to be high treason by construction, so explicitly do they enforce the national sentiment, of "Ireland her own, or the world in a blaze." As he marches to court, he shoulders his umbrella as if it were a pike. He flings out one factious foot before the other, as if he had already burst his bonds, and was kicking the Protestant ascendancy before him; while ever and anon a democratic, broad-shouldered roll of the upper man, is manifestly an indignant effort to shuffle off "the oppression of seven hundred years." This intensely national sensibility is the prevailing peculiarity in O'Connell's character; for it is not only when abroad, and in the popular gaze, that Irish affairs seem to press on his heart: the same Erin-go-bragh feeling follows him into the most technical details of his forensic occupations. Give him the most dry and abstract position of law to support—the most remote that imagination can conceive from the violation of the Articles of Limerick, or the rape of the Irish parliament, and, ten to one, but he will contrive to interweave a patriotic episode upon those examples of British domination. The people are never absent from his thoughts. He tosses up a bill of exceptions to a judge's charge in the name of Ireland, and pockets a special retainer with the air of a man that dotes upon his country. There is, perhaps, some share of exaggeration in all this; but much less, I do believe, than is generally suspected, and I apprehend that he would scarcely pass for a patriot without it; for, in fact, he has been so successful, and looks so contented, and his elastic, unbroken spirits, are so disposed to bound and frisk for very joy—in a word, he has naturally so bad a face for a grievance, that his political sincerity might appear equivocal, were there not some clouds of patriotic grief or indignation to temper the sunshine that is for ever bursting through them.

As a professional man, O'Connell is, perhaps, for general

business, the most competent advocate at the Irish bar. Every requisite for a barrister of all-work is combined in him; some in perfection — all in sufficiency. He is not understood to be a deep scientific lawyer. He is, what is far better for himself and his clients, an admirably practical one. He is a thorough adept in all the complicated and fantastic forms with which Justice, like a Chinese monarch, insists that her votaries shall approach her. A suitor advancing toward her throne, can not go through the evolutions of the indispensable *Ko-tou* under a more skilful master of the ceremonies. In this department of his profession, the knowledge of the practice of the courts, and in a perfect familiarity with the general principles of law that are applicable to questions discussed in open court, O'Connell is on a level with the most experienced of his competitors; and with few exceptions, perhaps with the single one of Mr. Plunket, he surpasses them all in the vehement and pertinacious talent with which he contends to the last for victory, or, where victory is impossible, for an honorable retreat. If his mind had been duly disciplined, he would have been a first-rate reasoner and a most formidable sophist. He has all the requisites from nature — singular clearness, promptitude, and acuteness. When occasion requires, he evinces a metaphysical subtlety of perception which nothing can elude. The most slippery distinction that glides across him, he can grasp and hold "*pressis manibus*," until he pleases to set it free. But his argumentative powers lose much of their effect from want of arrangement. His thoughts have too much of the impatience of conscious strength to submit to an orderly disposition. Instead of moving to the conflict in compact array, they rush forward like a tumultuary insurgent mass, jostling and overturning one another in the confusion of the charge; and, though finally beating down all opposition by sheer strength and numbers, still reminding us of the far greater things they might have achieved had they been better drilled.

But O'Connell has, by temperament, a disdain of everything that is methodical and sedate. You can see this running through his whole deportment in court. I never knew a learn-



ed personage who resorted so little to the ordinary tricks of his vocation. As he sits waiting till his turn comes to "blaze away," he appears totally exempt from the usual throes and heavings of animogestation. There is no hermetically-sealing of the lips, as if nothing less could restrain the fermentation within; there are no trances of abstraction, as if the thoughts had left their home on a distant voyage of discovery; no haughty swellings of the mind into alto-relievos on the learned brow;—there is nothing of this about O'Connell. On the contrary, his countenance and manner impress you with the notion, that he looks forward to the coming effort as a pastime in which he takes delight. Instead of assuming the "Sir Oracle," he is all gayety and good-humor, and seldom fails to disturb the gravity of the proceedings by a series of disorderly jokes, for which he is duly rebuked by his antagonists with a solemnity of indignation that provokes a repetition of the offence; but his insubordinate levity is, for the most part, so redeemed by his *imperturbable* good-temper, that even the judges, when compelled to interfere and pronounce him out of order, are generally shaking their sides as heartily as the most enraptured of his admirers in the galleries. In the midst, however, of this seeming carelessness, his mind is, in reality, attending with the keenest vigilance to the subject-matter of discussion; and the contrast is often quite amusing. While his eyes are wantoning around the court in search of an object to be knocked down by a blow of his boisterous playfulness, or, in a more serious mood, while he is sketching on the margin of his brief the outline of an impossible republic, or running through a rough calculation of the number of Irishmen capable of bearing pikes, according to the latest returns of the population—if the minutest irregularity or misstatement is attempted on the other side, up he is sure to start with all imaginable alertness, and, reassuming the advocate, puts forward his objection, with a degree of vigor and perspicuity which manifests that his attention had not wandered for an instant from the business before him.

Mr. O'Connell is in particular request in jury-cases. There he is in his element. Next to the "harp of his country," an

Irish jury is the instrument on which he delights to play ; and no one better understands its qualities and compass. I have already glanced at his versatility. It is here that it is displayed. His powers as a *Nisi-Prus* advocate, consist not so much in the perfection of any of the qualities necessary to the art of persuasion, as in the number of them that he has at command, and the skill with which he selects and adapts them to the exigency of each particular case. He has a thorough knowledge of human nature, as it prevails in the class of men whom he has to mould to his purposes. I know of no one that exhibits a more quick and accurate perception of the essential peculiarities of the Irish character. It is not merely with reference to their passions that he understands them, though here he is pre-eminently adroit. He can cajole a dozen of miserable corporation-hacks into the persuasion that the honor of their country is concentrated in their persons. His mere acting on such occasions is admirable : no matter how base and stupid, and how poisoned by political antipathy to himself, he may believe them to be, he affects the most complimentary ignorance of their real characters. He hides his scorn and contempt under a look of unbounded reliance. He addresses them with all the deference due to upright and high-minded jurors. He talks to them of "the eyes of all Europe," and the present gratitude of Ireland, and the residuary blessings of posterity, with the most perfidious command of countenance. In short, by dint of unmerited commendations, he belabors them into the belief that, after all, they have some reputation to sustain, and sets them chuckling with anticipated exultation, at the honors with which a verdict according to the evidence is to consecrate their names.

But, in addition to the art of heating the passions of his hearers to the malleable point, O'Connell manifests powers of observation of another, and, for general purposes, a more valuable kind. He knows that strange modification of humanity, the Irish mind, not only in its moral, but in its metaphysical peculiarities. Throw him upon any particular class of men and you would imagine that he must have lived among them all his life, so intuitively does he accommodate his style of

argument to their particular modes of thinking and reasoning. He knows the exact quantity of strict logic which they will bear or can comprehend. Hence (where it serves his purpose), instead of attempting to drag them along with him, whether they will or no, by a chain of unbroken demonstration, he has the address to make them imagine that their movements are directed solely by themselves. He pays their capacities the compliment of not making things too clear. Familiar with the habitual tendencies of their minds, he contents himself with throwing off rather materials for reasoning than elaborate reasonings—mere fragments, or seeds of thought, which, from his knowledge of the soil in which they drop, he confidently predicts will shoot up and expand into precisely the conclusions that he wants. This method has the disadvantage, as far as personally regards the speaker, of giving the character of more than his usual looseness and irregularity to O'Connell's jury-speeches; but his client, for whom alone he labors, is a gainer by it—directly in the way I have been stating, and indirectly for this reason, that it keeps the jury in the dark as to the points of the case in which he feels he is weak. By abstaining from a show of rigorous demonstration, where all the argument is evidently upon his side, he excites no suspicion by keeping at an equal distance from topics which he could not venture to approach. This, of course, is not to be taken as O'Connell's invariable manner, for he has no invariable manner, but as a specimen of that dexterous accommodation of particular means to a particular end, from which his general powers as a Nisi-Prius advocate may be inferred. And so, too, of the tone in which he labors to extort a verdict; for though when compelled by circumstances, he can be soft and soothing, as I have above described him, yet on other occasions, where it can be done with safety, he does not hesitate to apprise a jury, whose purity he suspects, of his real opinion of their merits, and indeed, not unfrequently, in the roundest terms defies them to balance for an instant between their malignant prejudices and the clear and resistless justice of the case.

There is one, the most difficult, it is said, and certainly the most anxious and responsible part of an advocate's duties, in



which O'Connell is without a rival at the Irish Bar—I allude to his skill in conducting defences in the Crown court. His ability in this branch of his profession illustrates one of those inconsistencies in his character to which I have already adverted. Though habitually so bold and sanguine, he is here a model of forethought and undeviating caution. In his most rapid cross-examinations, he never puts a dangerous question. He presses a witness upon collateral facts, and beats him down by arguments and jokes and vociferation; but wisely presuming his client to be guilty until he has the good luck to escape conviction, he never affords the witness an opportunity of repeating his original narrative, and perhaps by supplying an omitted item, of sealing the doom of the accused.

O'Connell's ordinary style is vigorous and copious, but incorrect. The want of compactness in his periods, however, I attribute chiefly to inattention. He has phrase in abundance at command, is sensible of melody. Every now and then he throws off sentences not only free from all defect, but extremely felicitous specimens of diction. As to his general powers of eloquence, he rarely fails in a case admitting of emotion, to make a deep impression upon a jury; and in a popular assembly he is supreme. Still there is much more of eloquence in his manner and topics than in his conceptions. He unquestionably proves, by occasional bursts, that the elements of oratory, and perhaps of the highest order, are about him; but he has had too many pressing demands of another kind to distract him from the cultivation of this the rarest of all attainments, and accordingly I am not aware that any of his efforts, however able and successful, have deserved, as examples of public speaking, to survive the occasion. His manner, though far from graceful, is earnest and impressive. It has a steady and natural warmth, without any of that snappish animation in which gentlemen of the long robe are prone to indulge. His voice is powerful, and the intonations full and graduated. I understand that when he first appeared at the Bar, his accent at once betrayed his foreign education. To this day there is a remaining dash of Foigardism in his pronunciation of particular words; but, on the whole, he has brought himself, as far as

delivery is concerned, to talk pretty much like a British subject.

It was my original intention to have dwelt in some detail upon O'Connell, as a popular leader, but I have no longer space, and I could scarcely effect my purpose without plunging into that "sea of troubles," the present politics of Ireland: yet a word or two upon the subject before I have done. Indeed, in common fairness, I feel bound to correct any depreciating inferences that may be drawn from the tone of levity in which I may have glanced at some traits of his public deportment, and which I should have hesitated to indulge in, if I had not given him credit for the full measure of good-humor and good sense, that can discriminate at once (should these pages meet his eye) between an inoffensive sally and a hostile sneer.

O'Connell has been now [1823] for three and twenty years a busy actor upon an agitated scene. During that period no public character has been more zealously extolled, or more cordially reviled. Has the praise or blame been excessive, or has either been undeserved? Has he been a patriot, or an incendiary? for, such are the extreme points of view in which the question of his merits has been discussed by persons too impassioned and too interested in the result to pronounce a sound opinion upon it. To one, however, who has never been provoked to admire or hate him to excess, the solution may not be difficult. After reviewing the whole of O'Connell's career as a politician, an impartial observer will be disposed to say of him, that he was a man of a strong understanding and of stronger feelings, occupied incessantly, and almost always without due preparation, upon questions where it would have perplexed the wisest to discern the exact medium between disgraceful submission and factious importunity—that by necessity a partisan, he has been steady to his cause, and consistent in his ultimate object, though many times inconsistent in the adoption of the means to obtain it; and that now in the long run, after all the charges of violence and indiscretion that have been heaped upon him, it is questioned by some of the clearest understanding in England, whether, in the present state of political morals, a more courtly policy than

O'Connell's either is, or was ever calculated to advance the interests of his body.

Leaving his political incentives aside, and referring solely to the personal provocations to which he is daily exposed, I should say, that it would be utterly unnatural in such a man to be other than violent. To O'Connell, as a barrister, his disqualification is a grievous injustice. It is not in theory alone that it operates. It visits him in the practical details of his professional life, and in forms the most likely to gall a man of conscious powers and an ambitious temperament. He has the mortification of being incessantly reminded that, for years past, his fortunes have been absolutely at a dead stop, while he was constantly condemned to see men who started with him and after him, none of them his superiors, many of them far beneath him, partially thrust before him, and lifted into stations of honor and emolument to which he is forbidden to aspire. The stoutest adversary of papal encroachments must admit, that there is something irritating in this; for my part, instead of judging harshly of the spirit in which he retaliates, I rather honor the man for the energy with which he wrestles to the last with the system that would keep him down; and if now and then his resistance assumes such a form as to be in itself an evil, I am not sorry, for the sake of freedom and humanity, to see it proved that intolerant laws can not be enforced without inconvenience. But in general (to speak the truth) O'Connell's vengeance is not of a very deadly description. He is, after all, a man of a kindly and forgiving nature: and where the general interests of his country are not concerned, is disposed to resent his personal wrongs with great command of temper. His forbearance in this respect is really creditable to him, and the more so as it meets with no return.

The admirers of King William have no mercy for a man, who, in his seditious moods, is so provoking as to tell the world that their idol was "a Dutch adventurer." Then his intolerable success in a profession where many a stanch Protestant is condemned to starve, and his fashionable house in Merrion-square, and a greater eye-sore still, his dashing revolutionary



equipage, green carriage, green liveries, and turbulent Popish steeds, prancing over a Protestant pavement to the terror of Protestant passengers—a nuisance that in the good old times would have been put down by Act of Parliament—these and other provocations of equal publicity, have exposed this learned culprit to the deep and irrevocable detestation of a numerous class of his Majesty's hating subjects in Ireland. And the feeling is duly communicated to the public. The loyal press of Dublin teems with the most astounding imputations upon his character and motives. As a dish for the periodical libellers of the day, O'Connell is quite a cut-and-come-again, from the crazy Churchman, foaming over the apprehended fall of tithes, down to the political striplings of the College, who, instead of trying their youthful genius upon the cardinal virtues, or "the lawfulness of killing Cæsar," devote their hours of classic leisure to the more laudable task of demonstrating, for the comfort of the Orange lodges, that "Counsellor O'Connell carries on a treasonable correspondence with Captain Rock." But the Counsellor, who happens to know a little more of the law of high treason than his accusers, has the good sense to laugh at them and their threats of the hangman. Now that all practical attempts upon life have been abandoned,\* he bears the rest with true Christian patience and contempt; and whenever any of his defamers recant "*in extremis*" and die good Catholics, as the most bigoted among them are said to

\* I allude to what was really a shocking occurrence. A Corporation has been defined to be "a thing having neither a body to be kicked nor a soul to be damned." With this definition before him, Mr. O'Connell did not imagine that he exceeded the limits of public debate in calling the Dublin Corporation a "beggarly Corporation." One of its most needy members [Mr. d'Esterre], however, either volunteered or was incited to think otherwise, and called upon the speaker to apologize or fight. To Mr. O'Connell, a life of vital importance to a numerous family, and of great importance to the best part of the Irish public, the alternative was dreadful. He saw the ferocity of the transaction in its full light, but he committed his conduct to the decision of his friends, and a duel ensued. The aggressor was killed. Had the result been different, his claims would probably not have been overlooked by the patrons of the time (1815); at least such is understood to have been the expectation under which he provoked his fate.

do, if the fact be duly certified by his friend, Mr. Denis Scully,\* who has quite an instinct for collecting materials touching this portion of secret history, O'Connell, I am assured, not only forgives them all their libels, but contributes liberally toward setting on foot a few expiatory masses for their souls.†

---

#### O'CONNELL IN 1829.

It was on a calm autumn evening that I had returned from a walk to the splendid seat of Lord Powerscourt, in the county of Wicklow. I had sat down at the inn of the little village where I was sojourning, and had placed myself in the window, to while away an hour in observing the "passing events" of the place. The market was over; the people had gradually passed to their homes; the busy hum of the day was fast dying away; and a few straggling groups scattered here and there through the long, wide street of the town—the only one it boasted—were almost the only persons who arrested my eye. The sun was sinking, and threw his lingering beams into the neat but ill-furnished apartment where I was sitting. To avoid the glare of his beams, I changed my position, and this gave me a more uninterrupted view of the long street above referred to, which threw its termination into the green fields of the country.

Casting my eyes in this direction, I beheld a chariot-and-four coming toward me, enveloped in a complete cloud of dust, and the panting horses of which were urged on with tremen-

\* The catholic barrister, a gentleman quite clever and important enough to be treated of apart. For the present, I shall merely record of him that one of his favorite theories is, that no rank Orangeman ever "dies game." He can tell you the exact moment when Doctor Duigenan began to roar out for a priest. He has a large stock of mortuary anecdotes illustrating his general doctrine, and he relates them with true Sardonic vivacity.

† To this sketch, originally published in July, 1823, I annex a later portrait, by Mr. Curran, with additions by Mr. Sheil, which appeared in March, 1829, after Mr. O'Connell's being elected M. P. for Clare, and on the eve of catholic emancipation, carried in the following month, by Wellington.—M.

dous rapidity. Struck with the unexpected arrival of such a vehicle in that place, I leaned out of the window to observe its destination, and beheld it still rolling hurriedly along, and sweeping round the angle of the street toward the inn with an increased violence. If my reader has been much used to travelling, he will be aware that the moment a postillion comes in sight of an inn, he is sure to call forth the mettle of his horses—perhaps to show off the blood of his cattle.\* This was the case at present, and a quick gallop brought the vehicle in thundering noise to the door, where, Shenstone says, is to be found “the warmest welcome.” The animals were sharply checked, the door was flung open, and the occupier threw himself hurriedly out.

“Bring out four horses instantly,” was the command he uttered in the loud voice of haste and authority.

The inmate of the carriage was about five feet eleven and a half inches high, and wore a portly, stout, hale, and agreeable appearance. His shoulders were broad, and his legs stoutly built, and, as he at that moment stood, one arm in his side-pocket, the other thrust into a waistcoat, which was almost completely unbuttoned from the heat of the day, he would have made a good figure for the rapid but fine-finishings pencil of Harlowe.† His head was covered with a light fur-cap, which, partly thrown back, displayed that breadth of forehead

\* The readers of fiction will be reminded of one of Miss Edgeworth’s stories, in which she makes an Irish postillion, whose horses were weak and weary after a long journey, rally them up as he entered a gentleman’s demesne, which he called having “a gallop for the avenue.”—M.

† George Henry Harlowe, born in London in 1787, was first the pupil and afterward the rival of Sir Thomas Lawrence, the eminent portrait-painter. He painted some clever historical pictures, of which the best known is “The Trial of Queen Catherine,” in which there are portraits of Mrs. Siddons, with her brothers, John and Charles Kemble, and other theatrical celebrities. Of this even an engraving is rare and valuable. The original hangs, neglected and uncared for, in a store-loft, in Soho Square, at London, belonging to a piano-forte maker. After visiting Italy, where his accuracy as a copyist, and his remarkable facility in original works, excited much admiration, and obtained him, at Rome and at Florence, the highest honors artists could bestow on him, Harlowe returned to London, and died there, a few months after, in 1819. His skill, in rapidly sketching a likeness and in seizing the character of a face, has rarely been equalled.—M.



which I have never yet seen absent from real talent. His eyes appeared to me, at that instant, to be between a light-blue and a gray color. His face was pale and sallow, as if the turmoil of business, the shade of care, or the study of midnight, had chased away the glow of health and youth. Around his mouth played a cast of sarcasm, which, to a quick eye, at once betrayed satire; and it appeared as if the lips could be easily resolved into the *risus sardonicus*. His head was somewhat larger than that which a modern doctrine denominates the "medium size;" and it was well supported by a stout and well-founded pedestal, which was based on a breast, full, round, prominent, and capacious. The eye was shaded by a brow which I thought would be more congenial to sunshine than storm; and the nose was neither Grecian nor Roman, but was large enough to readily admit him into the chosen band of that "immortal rebel" (as Lord Byron called Cromwell) who chose his body-guard with capacious lungs and noses, as affording greater capability of undergoing toil and hardship. Altogether he appeared to possess strong physical powers.

He was dressed in an olive-brown surtout, black trowsers, and black waistcoat. His cravat was carelessly tied, and the knot almost undone, from the heat of the day; and as he stood with his hand across his bosom, and his eyes bent on the ground, he was the very picture of a "public character," hurrying away on some important matter which required all of personal exertion and mental energy. Often as I have seen him since, I have never beheld him in so striking or pictorial an attitude.

"Quick with the horses!" was his hurried ejaculation as he recovered himself from his revery, and flung himself into his carriage. The whip was cracked, and away went the chariot with the same cloud of dust, and the same tremendous pace.

I did not see him pay any money. He did not enter the inn. He called for no refreshment, nor did he utter a word to any person around him. He seemed to be obeyed by instinct; and while I marked the chariot thundering along the street, which had all its then spectators turned on the cloud-enveloped vehicle, my curiosity was intensely excited, and I instantly

descended to learn the name of the extraordinary stranger. Most *mal-apropos*, however, were my inquiries. Unfortunately, the landlord was out; the waiter could not tell me his name; and the hostler "knew nothing whatsoever of him, except that he was in the most uncommonest hurry." A short time, however, satisfied my curiosity.

The next day brought me to the capital of the county where I was then on a visit. It was the assize time. Very fond of oratory, I went to the courthouse to hear the forensic eloquence of the "Home Circuit." I had scarcely seated myself, when the same grayish eye, broad forehead, portly figure, and strong tone of voice, arrested my attention. He was just on the moment of addressing the jury, and I anxiously waited to hear the speech of a man who had already so strongly interested me. After looking at the judge steadily for a moment, he began his speech exactly in the following pronunciation: "My Lurrd—Gentlemen of the jury."

"Who speaks?" instantly demanded I.

"Counsellor O'Connell," was the reply.

"Why, he only arrived last night?"

"Late last night, and has had scarcely a moment to con over his brief. But listen."

I at once fixed my attention. As I do not write short-hand, I can not give the detail of his speech; but his delivery I can criticise, and can here write down.

Were O'Connell addressing a mixed assembly where the lower orders predominated, I scarcely know any one who would have such a power of wielding the passions. He has a knack of speaking to a mob which I have never heard exceeded. His manner has at times the rhodomontade of Hunt;\* but he is infinitely superior, of course, to this well-known democrat in choice of language and power of expression. The same remark may apply, were I to draw any comparison between him and another well-known mob-speaker, Cobbett.†

\* Henry Hunt, for some years the leader of the "Radical Reform" party in England.—M.

† William Cobbett, who will be remembered as the most inconsistent politician, and the most nervous writer of English prose, his time produced.—M.

Were he opposed to these two persons in any assembly of the people, he would infallibly prove himself the victor. A balcony outside a high window, and a large mob beneath him, is the very spot for O'Connell. There he would be best seen, and his powers and person best observed; but were he in the House of Commons, I do not think I am incorrect when I say that he would make little impression on the House, supposing he were heard with every prepossession in his favor.\* His action wants grace and suavity—qualities so eminently fascinating in an elegant and classical speaker, but which perhaps are overlooked in an “orator of the people.” The motions of his body are often sharp and angular. His arms swing about ungracefully; and at times the right hand plays slovenly with his watch-chain.

Though I shall not, perhaps, find many to agree with me, yet I am free to confess that he does not appear to me to possess that very rare gift—*genuine* satire. He wants the cultivated grace of language which his compeer, Sheil, possesses, and the brilliancy of metaphor. None is there else, however, peer or commoner, who can compete with him in the Catholic Association. His language is often coarse, and seldom elegant. Strong, fierce, and perhaps bold, it often is; but vituperation and personality make up too much of the *materiel*. His voice is sometimes harsh and dissonant; and I could wish more of that round, full, mellow tone, which is essential to a good delivery, and which so captivates the ear. “The voice is the key which unlocks the heart,” says Madam Roland. I believe it. Let the reader listen to the fine round voice of Lord Chief Justice Bushe, and then let him hear the sometimes grating tones of O'Connell, and he will soon perceive the difference. The voice of the latter much reminds me of the harsh thinness of Mr. J. D. Latouche's† (whose *conversational* tone, by-the-by,

\* This was a “foregone conclusion” to which facts gave a strong negative. O'Connell became one of the best speakers in the House of Commons, and his speech, in 1831, on the Reform Bill, was the ablest on the subject. As “Member for all Ireland,” with forty votes at his command, his power in the House was great.—M.

† Mr. Latouche was an eminent banker in Dublin, who sometimes tried to take a leading part in politics.—M.



is far beyond his *oratorical* one); and yet the coolness and the astuteness which the latter gentleman possesses in an argument, would be no bad substitute for the headlong impetuosity and violent sarcasm in which O'Connell sometimes indulges.

As he can not clothe his language in the same elegance as Sheil, he consequently can not give the same insinuation to his discourses. In this respect, his contemporary has greatly the advantage. Sheil gives us the poetry of eloquence — O'Connell gives us the prose. The attempts of the latter at wit are clumsy, while the former can bring both that and metaphor to his aid, and he often uses them with much effect. O'Connell, however, can attempt humor with effect, and he has a peculiar tact in suiting this humor to the Irish people. I have not often seen a good exordium from O'Connell—an integral portion of a discourse which it is extremely difficult to make; and I think his perorations want grace, point, and force, and that which the Italians would denominate “*espressivo*.”

I shall follow him still farther.

The next place at which I heard the arch-leader of Catholicism, was at the council-chamber in Dublin castle, where he was employed to argue a case before the then Viceroy, Marquis Wellesley.\* His speech, voice, action, eye (for nothing in oratory escapes me), are as clearly before me at present as they were on that day; and if this should catch his eye, I would call it to his memory by saying it was one of the best speeches he ever made. Mr. Goulburn,† who sat at the

\* Richard Colley Wellesley, eldest son of the earl of Mornington (composer of the well-known glee, “Here in cool grot”), and brother of Arthur, duke of Wellington, was created Marquis Wellesley for his services in India, as Governor-General, and was twice Lord Lieutenant of Ireland. He died in 1842, in the eighty-third year of his age.—M.

† Henry Goulburn, now M. P. for Cambridge University, was born in 1784, and, besides initiatory offices, held the Colonial Seals from 1812 till 1821: was Secretary for Ireland (and very unpopular) from December, 1821 till 1828: Chancellor of the Exchequer from 1828 till 1830: Secretary for the Home Department from December, 1834 to April, 1835 (Peel's brief administration), and again Chancellor of the Exchequer, under Peel, from 1841 to 1846. Though a Conservative, he voted for Reform and Free Trade. An ultra-Anti-

lowermost end of the table, on the right of the Lord-Lieutenant, was busily employed in taking notes. The person who sat next the Chief-Secretary, was Lord (then Mr.) Plunket; but he merely kept his eyes fixed on the broad green cloth which spread amply before him, and, with his arms folded, scarcely moved from that position the entire time. Lord Wellesley was at the top of the table, dressed in his orders; and, as he was of the same opinion in politics with the person who was speaking, he seemed to listen to him with much pleasure. His words, tone of voice, and action, seemed more strictly attended to than when I heard him at Wicklow; and even his step in the ante-rooms, on passing to the chamber, was also guarded. Into that chamber he could not come in the same hurried careless manner, in which I have sometimes seen him fling himself into court. One day, while lounging in the latter place, I saw him rapidly fling aside the green curtain at the doorway; and as he dashed down the benches to the front of the bar methought he would have almost strode over the thick files of lawyers, attorneys, clerks, witnesses, &c., who chanced to be in his way.

In walking through the streets, he pushes along in the same careless, democratic manner; and his stout, tall figure, enables him to shoulder aside the crowds that might oppose his hurried march. He seems not to recollect that the slow pace is the pace of the gentleman; on he goes, business and emancipation borne mightily on his broad shoulders; and stops not, nor stays, till he gets to the Four Courts; from the Four Courts he is then off to the Association rooms—from the Association to the Four Courts back again—from the Courts to attend some popular assembly, or keep an appointment—from the assembly to his house to dine—then a hearty dinner and a temperate glass—business, parchments, briefs, attorneys' clerks, and "unfledged lawyers" afterward—retiring early to bed—and then, next day, behold him going through the same endless, important, and weighty routine of business again.

Catholic for many years, he voted for Catholic Emancipation, in 1829, at the bidding of his master, the Duke of Wellington.—M.

The setting-up for Clare was the most daring, and the boldest step which this man ever took, or ever will take. Were he to live a century, he could do nothing which would show so much of daring and intrepid talent. He has been blamed for it; but the power, and the ambition, and the boldness, which it has evinced, makes me admire where I am otherwise obliged to condemn. It was one of those steps that (to use the words of Voltaire) "vulgar men would term rash, but great men would call bold." Let me distinguish it from his mission to England.\* This last was a foolish step, but the first was an intrepid one. Men of talent forsook him in the last, but they supported and abided by him in the first. In short, the whole of Ireland was thrown into astonishment.

The last time I saw O'Connell was in St. James's park. He had a long scroll under his arm—mayhap that which has since caused such controversy, "the wings." The next time I see him will perhaps be in that, to me, most interesting spot in London, or in all England—St. Stephen's.

\* The visit of the Catholic Deputation to England in 1825, of which a full account is in these sketches.—M.

VOL. I.—5



## WILLIAM CONYNGHAM PLUNKET.

MR. PLUNKET's father was a Presbyterian clergyman in the north of Ireland.\* He died during the infancy of his children leaving them and his widow without any provision : but learning has always been cheap in Ireland, and Mrs. Plunket contrived to procure for her sons a classical education. The subject of the present notice was, at an early age, befriended by the late Lord Avonmore. I have conversed with one or two persons who recollect to have seen him a constant inmate at his Lordship's house, and their report of him is, that "he was a clever, hard-headed boy, very attentive to his studies, and very negligent of his person." He passed in due course through Trinity College, Dublin; and was called to the Irish bar in 1787. His professional advancement was rapid and steady. The first public notice that I can find of his name is upon the trial of the Sheareses, in 1798:† he was associated with Cur-

\* He eventually settled in Dublin, where he became stated minister of a congregation. He was fond of polemical discussion, but when it was becoming fierce, as too often is the case, would say, "Well, let us leave it to Bridget," who was a simple-minded lass from Wales. Her reply commonly was, "Well, sir, if you will have my judgment, I do think that love to God and love to man are not fuel for hell-fire." There is philosophy, as well as truth and humanity, in this plain declaration.—M.

† John and Henry Sheares were natives of Cork. They were well educated and well connected. John, the younger, who was a republican, joined the United Irishmen in 1796. Henry, a man of amiable disposition and easily influenced, followed the example. Both had been to France, at the taking of the Bastille; and John was seen, on his return, to flourish, with exultation, a handkerchief stained with the blood of Louis XVI. John Sheares was very active in the preparations for the outbreak in 1798, writing the greater part of the various addresses issued by the Directory. The Sheares's accession to the popular

ran and Ponsonby in the defence of the unfortunate brothers, and, like them, vainly urged every topic that legal ingenuity could devise to avert their doom. I am not aware that Mr. Plunket appeared as counsel for the prisoners in any subsequent state-trial. He became a member of the Irish Parliament in 1797.\* On the question of the Union, he took the side of his country : his speeches on that occasion contain many fine specimens of reasoning, invective, and deliberate enthusiasm. A single sentence will convey an idea of their general spirit : "For me, I do not hesitate to declare, that if the madness of

cause, which was soon suspected, was ascertained by a militia-captain, named Armstrong, who wormed himself into their confidence, to betray them to the Government. On the evidence of Armstrong, who had been on visiting terms at their house, and an accessory in their councils, the case against the brothers was proved—though it condemned himself to an immortality of infamy. The trial came off, on July 12, 1798, before Lord Chief-Justice Carleton and four other Judges. Curran, Plunket, and Ponsonby, were the chief counsel for the prisoners. After the trial had lasted *sixteen hours*, Curran, exhausted in mind and body, requested its postponement until the next morning. Attorney-General Toler (afterward Lord Norbury), on the part of the Crown, refused to consent to any adjournment. At midnight, therefore, Curran had to speak ; and, wearied as he was, made an eloquent defence. The next morning, at eight o'clock, a verdict of "Guilty" was returned. The brothers rushed into each other's arms. When called up for judgment, at three o'clock the same day, Henry, overcome by emotion, was unable to speak. John, more firm, made only one request, that "the husband, the father, the brother, the son, all comprised in one person," should receive, not a pardon, which it was not in the power of the Court to grant, but a brief respite. The request availed not. Toler moved that the sentence of death should be carried into execution the next day—and so it was, in front of the prison in Green street. By the common law of England, *two* witnesses were necessary to convict in cases of treason ; and so Coke and Blackstone have held ; but the Irish Court decided that only one was requisite in Ireland, and that one was Armstrong the informer. So, as Curran stated, "that which in Ireland might be legally done, in England it would be murder to do." At present, the law is the same in Ireland as in England.—Eventually, the remains of these unfortunate men were deposited in the vaults beneath the Church of St. Michan's, Dublin, where the soil and the atmosphere resist decomposition, and might there be seen, for over forty years, by any one who paid the sexton. In January, 1842, the bodies were saved from further publicity by being placed in coffins of oak and lead.—M.

\* Plunket was brought into Parliament by the Earl of Charlemont (born in 1728, died 1799), whose name will live, in history, as the popular leader of the Irish Volunteers of 1782.—M.

the revolutionist should tell me, 'You must sacrifice British connection,' I would adhere to that connection in preference to the independence of my country; but I have as little hesitation in saying, that, if the wanton ambition of a minister should assault the freedom of Ireland and compel me to the alternative, I would fling the connection to the winds, and I would clasp the independence of my country to my heart." But in those days, as was remarked, "the voice of the patriot in the senate was answered by no echo from without." The nation was panic-struck; gold and promises were profusely scattered; the majority of the "Honorable House" were impatient to be sold, though the wages of their sin was death. The people had nothing to offer but gratitude and fame—the minister had titles, offices, and pensions; and the Irish Parliament was knocked down to the highest bidder.

In 1803, Mr. Plunket appeared as one of the counsel for the prosecution on the trial of Mr. Robert Emmett.\* One particu-

\* There were three Emmetts, sons of Dr. Emmett, who had been state-physician at Dublin, and was an extreme liberal in his political opinions. Temple, the eldest, who distinguished himself in the University and at the bar, died at the age of thirty. Thomas Addis, born in 1764, also became a barrister, got involved in the revolt of 1798, was allowed to expatriate himself, arrived at New York in 1804, where he was at once admitted to practice (by special dispensation, although opposed, Phillips says, by Chancellor Kent), became Attorney-General of New York in 1812, and died in 1827, greatly respected and lamented. Robert, who was only twenty-three years old, joined in the insurrection of June 23, 1803; was tried, condemned, and executed—lamented even by multitudes who disliked his politics. Robert Emmett's defence, as it is called, though actually spoken *after* condemnation, when called on to receive judgment, is one of the most touching and pathetic specimens of eloquence ever uttered. In that, he alluded to his father's early political instructions, when he exclaimed, "If the spirits of the illustrious dead participate in the concerns of those who were dear to them in this transitory scene, dear shade of my venerated father! look down on your suffering son, and see has he for a moment deviated from those moral and patriotic principles which you so early inculcated into his youthful mind, and for which he has now to offer up his life!" And who can forget the pathetic earnestness of his request that no man would write his epitaph, and the hope that his tomb would remain uninscribed until other men and other times could do justice to his character! "When my country takes her place," said he, "among the nations of the earth, then, and not till then, let my epitaph be written."—M.



lar of his conduct on that occasion exposed him to great, and, as it appears to me, most unmerited reproach. The unfortunate prisoner made no defence—in truth, he had none to make: he produced no evidence, and his counsel announced that they would state no case to the jury. On this ground, they contended that the counsel for the Crown should not be allowed to address the jury a second time. Mr. Plunket insisted upon his right: the Court decided the question in his favor, and he proceeded to comment at length upon the conduct of the prisoner, and upon the wildness and guilt of the conspiracy of which he had been the projector. Emmett's youth and talents, and his deportment on his trial, excited universal sympathy: almost all, even those who would not consent to spare him, pitied him as a victim—many admired and deplored him as a martyr. The latter exclaimed against Mr. Plunket's exercise of his privilege to speak to the evidence, as an act of gratuitous inhumanity. I confess I see the matter in quite another light: Mr. Plunket was a public man, whose opinions had great weight with the community; and I conceive it to have been both natural and laudable that he should have seized the opportunity of reprobating, in the most emphatic terms, the visionary projects of revolution that still prevailed. Curran, from a similar impulse of public duty, had done the same thing, a few days before, on the defence of Owen Kirwan, where we find him digressing from the immediate case before the jury, into an elaborate and glowing exposition of the guilt and hopelessness of attempting to better the condition of Ireland by force. But the enemies of Mr. Plunket were not satisfied with a general assertion that his conduct had been unnecessarily harsh. To affix a deep stigma upon his character, it was industriously circulated that he had been a constant guest of Emmett's father, at whose table he had inculcated political principles upon the son which now brought him to the grave; and, to give credit to the calumny, a passage was interpolated in the report of Emmett's address to the Court,\* in which

\* No allusion to Plunket was made by Robert Emmett—and Phillips, who examined the charge very closely, declares "Emmett never did so with truth, nor could he have done so with truth." So far from being on intimate terms

the dying enthusiast was made to pronounce a bitter invective against "the viper that his father had nurtured in his bosom."

Mr. Plunket was compelled to resort to a public vindication of his character. He instituted legal proceedings against a London journal in which the libel was inserted, and obtained a verdict;\* he also published an affidavit, positively denying every material fact in the accusation. He might have gone farther, and have truly sworn that the accusation was never made until after the supposed accuser was in his grave. I have conversed with several who were present at the trial, one or two of them friends and admirers of Emmett: they all solemnly assured me, that not a syllable escaped his lips bearing the remotest allusion to the charge; and the omission in Mr. Plunket's affidavit of this conclusive circumstance, was pointed out to me as a singular absence of sagacity, in a man so notoriously sharp-sighted where the concerns of others are confided to his care. I should not have dwelt thus long upon this transaction, were it not that "Mr. Plunket's conduct to Robert Emmett" is, to this day, frequently adverted to by persons unacquainted with the particulars, as an indelible blemish upon his reputation.†

with the Emmett family, it is stated (in the Memoir of Plunket in the *Dublin University Magazine* for March, 1840) that he did not know them personally, and had only once met any of them, Thomas Addis Emmett, at a public dinner.—M.

\* It was against William Cobbett that Plunket brought the action, and obtained smart damages. This may account for Cobbett's constant and bitter attacks on him; in later years. In the Union debate, in 1800, Plunket, who was an Anti-Unionist, made a very striking speech, which contained the following strong sentence, among others: "For my part, I will resist it [the Union] to the last gasp of my existence, and with the last drop of my blood; and when I feel the hour of my dissolution approaching, *I will, like the father of Hannibal, take my children to the altar, and swear them to eternal hostility against the invaders of their country's freedom.*" Thirty years later, when Plunket had accepted a peerage and office from the Saxons whom he had thus denounced, Cobbett had fair game in him, and did not spare the lash. Enumerating the variety of public offices, in Church and State, to which the Plunkets had been appointed, Cobbett constantly spoke of the Hannibals and their father Hamilcar Plunket!—M.

† Charles Phillips, who defends him, yet admits that Plunket "made a very

Mr. Plunket was made solicitor-general in 1803, and attorney-general and a privy counsellor in 1805. He retained his place when the whigs came into office, in 1806. I believe that this was the commencement of his connection with Lord Grenville, to whose party he has since adhered. After the death of Mr. Fox, it was intimated to him that the new administration had no intention of superseding him, but he preferred to follow the fortunes of Lord Grenville, and resigned. Since 1812, he has sat in the Imperial Parliament, as a member for the university of Dublin.

Mr. Plunket has for some years past confined himself to the Court of Chancery, where he holds the same pre-eminence that Romilly† did in England. Of all the eminent lawyers I

unnecessary speech, as Emmett scarcely denied his guilt," but Plunket's own excuse was that he thought himself called upon not so much to address the Jury, as the country through the Jury. In 1819, he repeated that "the times rendered it necessary." Phillips, again referring to the case in 1851, declares that if a speech were necessary it should have been made, not by Plunket but by Mr. McClelland, who as solicitor-general was next in rotation. It was also said that Plunket had *volunteered* his exertions: on the contrary, they were specially solicited by the first law officer of the crown. Dr. Sandes, afterward Bishop of Cashel, who from his well-deserved popularity, had the representation of Dublin University in his hands, was canvassed by Plunket, during his contest with John Wilson Croker, and frankly said he would oppose him, unless he could clear up his conduct on Emmett's trial. The explanation was satisfactory, and Sandes supported Plunket, who was elected by a majority of *five*. On the other hand, the eulogistic biographer in the *Dublin University Magazine*, while he acquits Plunket of the main charge of ingratitude, condemns his "eager zeal," and adds that after the two officers of the Crown did not think it necessary to make a single remark, after the prisoner's case had closed, Plunket "assailed the sad enthusiast, in that hour of his deepest suffering, in a theme of invective which might have been well spared." The fact seems to be, Plunket, who had begun to look office-ward, seized the opportunity of showing that his own strong and hostile opinions had softened down into respect for the ruling authorities, and for good order, as sustained by the law.—M.

\* Sir Samuel Romilly, alike distinguished at the bar and in Parliament, was born in 1757. He was called to the bar in 1783, and soon obtained extensive Chancery practice. He was Solicitor-General under the Grenville ministry in 1806, and was knighted. In Parliament he was distinguished for his attempts to reform the criminal law. He committed suicide, November 2, 1818. One of his sons, Sir John Romilly, a very able equity lawyer, is now Master of the Rolls in England.—M.



have heard, he seemed to me to be the most admirably qualified for the department of his profession in which he shines. His mind is at once subtle and comprehensive: his language clear, copious, and condensed: his powers of reasoning are altogether wonderful. Give him the most complicated and doubtful case to support—with an array of apparently hostile decisions to oppose him at every step—the previous discussion of the question has probably satisfied you that the arguments of his antagonists are neither to be answered nor evaded—they have fenced round the rights of their clients with all the great names in equity—Hardwicke, Camden, Thurlow, Eldon.\* Mr.

\* Edward Thurlow, born in 1735, and called to the bar in 1758, was made Solicitor-General in 1770, and Attorney-General in 1771. In Parliament, he supported the ministers in their anti-American measures. In June, 1778, he was elevated to the office of Lord-Chancellor, and was created Lord Thurlow. In 1783, he quitted office, when the Coalition Ministry came in, but was reappointed on Pitt's becoming Premier. In 1793, on a quarrel with Pitt, he again resigned, went into private life, and died in September, 1806. He was a good lawyer, but *brusque* in his manners.—Charles Pratt (afterward Earl of Camden) was the son of Sir John Pratt, Chief-Justice of the King's Bench in the time of George I., and was born in 1714. He slowly but gradually got into business at the bar. In 1757, he was appointed Attorney-General, at the instance of the elder Pitt, and entered Parliament. In 1761, he was made Chief-Justice of the Common Pleas, and soon showed his independence by deciding, in the case of Wilkes, that general warrants were illegal. In 1765, the Rockingham Ministry called him to the Upper House, as Lord Camden. As a peer, his course was independent, and he denied the right of Great Britain, as claimed by the Government, "to impose laws upon the American colonies in all cases whatsoever." In July, 1766, Lord Camden was made Lord-Chancellor. In 1770, opposing his colleagues in the Ministry, who were hurrying the crisis with America, Lord Camden quitted office. Here ceased his judicial career, but he was a political combatant for twenty-four years longer—always condemning the war with America, always defending the liberty of the subject. In 1782, he entered the Rockingham Ministry as President of the Council, which, with a slight interval under the Coalition Ministry, he continued to hold until his death. He was created Earl and Viscount in 1786, and died in April, 1794, aged eighty. He was one of the greatest constitutional lawyers England ever possessed.—John Scott, afterward Earl of Eldon, was born in 1751. His elder brother, afterward Lord Stowell, was born six years earlier. John Scott was educated at Oxford, where he obtained a fellowship in 1767, which he forfeited in 1772 (celibacy being imposed upon the fellows of English colleges), by running off and marrying the daughter of a rich banker at Newcastle, his native place. Soon after, he had to read the law lectures at Oxford, as deputy

Plunket rises. You are deeply attentive, rather from curiosity to witness a display of hopeless dexterity, than from any uncertainty about the event. He commences by some general undisputed principle of law, that seems perhaps, at the first view, not to bear the remotest relation to the matter in controversy; but to this he appends another and another, until by a regular series of connected propositions, he brings it down to the very point before the court; and insists, nay demonstrates, that the court can not decide against him without violating one of its own most venerated maxims. Nothing can be more masterly than the manner in which all this is done. There is

for the Vinerian professor; and, ludicrously enough, the first lecture was on the statute 4 and 5 Philip and Mary, ch. 8: "Of young men running away with maidens." He had one hundred and forty students as auditors, all of whom giggled, as well they might, at the difference between the professor's theory and practice. Called to the bar in 1776, Scott joined the Northern Circuit, for some years with ill-success. In 1780, the reversal of one of the Master of the Rolls' judgments, by Lord-Chancellor Thurlow, upon Scott's argument, drew him into notice. Further success, before a committee of the Commons, on an election case, which lasted fifteen days (with a retainer of fifty guineas, a daily fee of ten guineas, and an evening-consultation fee of five guineas), gave him reputation, as well as money and hope. In 1783, he was made King's Counsel, with Erskine. At this time he entered Parliament, where he and Erskine made their maiden speeches in the same debate, but on opposite sides—Scott opposing and Erskine defending Fox's India Bill. In 1788, he was made Solicitor-General, and knighted—and Attorney-General in 1793, which office he retained to the year 1799, conducting the state trials of Horne Tooke, Hardy, and Thelwall, for high-treason. In July, 1799, he became Chief-Justice of the Common Pleas, and was created Baron Eldon. He was then making between ten and twelve thousand pounds sterling a year by his practice; but if the salary of a Judge was much less, so was the labor. In this new capacity, he proved himself in every respect equal to the duties. In 1801, he became Lord-Chancellor, by the King's own request, and abandoned the Common Pleas with regret. In February, 1806, when the Grenville and Fox Cabinet came in, Lord Eldon quitted office, was succeeded by Lord Erskine, and returned in April, 1807, to continue until 1827, when Canning became Premier, and Sir John Copley, then created Lord Lyndhurst, received the Great Seal. In 1821, Lord Eldon was made Earl and Viscount. As a Judge, he never had a superior, if he had an equal, in Westminster Hall. His fault was delay, caused by his doubting. On political questions he had no delay, but was ready, intolerant, and unscrupulous. He accumulated immense wealth, and died in January, 1838.—M.

no ostentation of ingenuity and research. Everything is clear, simple, and familiar: you assent without a struggle to each separate conclusion. It is only when you are brought to the ultimate result, that you startle at discovering the consummate skill of the logician, who, by wily and imperceptible approaches, has gained a vantage-point from which he can descend upon his adversaries, and compel them to abandon a position that was deemed impregnable.

But Lords Hardwicke, Thurlow, Camden, Eldon, &c., are said to be against him. The advocate accordingly proceeds to examine each of these authorities in detail; he analyses their language; by distinctions that seem natural and obvious, but which in reality are most subtle, he shows how capable it is of various interpretations; he confronts the construction contended for by conflicting decisions of the same judges on other and similar occasions; he points out unsuspected anomalies that would arise from adopting the interpretation of his adversaries, and equally unsuspected accordances with general principles, that would follow his own. He thus goes on until, by reiterated processes of matchless sagacity, he has either neutralized or brought over to support himself, all the authorities upon which his opponents most firmly relied; and he sits down, leaving the court, if not a convert to his opinion, at least grievously perplexed to detect and explain the fallacies upon which it rests.

Mr. Plunket is not said to be a profound lawyer; he cites fewer cases than any other counsel at the Irish bar; and on common occasions, frequently contents himself with merely commenting upon those adduced against him. His supremacy is altogether intellectual. He leaves to others the technical drudgery of wading through tomes and indexes in search of legal saws and "modern instances." The moment a question is submitted to him, his mind intuitively applies all the great principles that are favorable or hostile: these he has firmly fixed, and scientifically arranged in his memory, and so far may be said to be never unprepared. For the rest he depends upon the resources of a talent that never fails him—upon his resistless vigor, where he is right and sincere—upon his formi-



dable ingenuity and sophistry, where he can not venture to be candid — upon his extemporaneous power of going through the most intricate processes of thought with all the ease and familiarity of ordinary discourse; and most of all, upon a rapid apprehension, which grasps and secures the entire of any proposition of which a single particle may chance to flit across his mind—a perfection of faculty that enables him to draw the most unexpected conclusions from the topics adduced against him, and thus to render all the industry of his antagonists subservient to his own occasions.

This, though an imperfect sketch, will convey some general ideas of this eminent advocate; but there is one peculiarity in his powers, which to be adequately comprehended must be actually witnessed. I allude to his capacity (in which he exceeds every public speaker I ever heard) of pouring out, I would almost say indefinitely, a continuous, unintermitted volume of thought and language. In this respect, I look upon Mr. Plunket's going through a long and important argument in the Court of Chancery to be a most extraordinary exhibition of human intellect. For hours he will go on and on, with unwearied rapidity, arguing, defining, illustrating, separating intricate facts, laying down subtle distinctions, prostrating an objection here, pouncing upon a fallacy there, then retracing his steps, and restating in some original point of view his general proposition; then flying off again to the outskirts of the question, and dealing his desultory blows with merciless reiteration wherever an inch of ground remains to be cleared; and during the whole of this, not only does not his vigor flag for a single instant, but his mind does not even pause for a second for a topic, an idea, or an expression. This velocity of creation, arrangement, and delivery, is quite astonishing; and what adds to your wonder is, that it appears to be achieved without an effort. Mass after mass of argument is thrown off, conveyed in phraseology vigorous, appropriate, and succinct, while the speaker, as if the mere minister and organ of some hidden power, that saves him the cost of laborious exertion, appears solely anxious to impress upon others his own reliance upon the force of what seems to come unsought.

This singular command over his great powers, coupled with his imposing exterior and masculine intonations, gives extraordinary weight to all he says. From his unsuspected earnestness of tone and manner, you would often imagine that his zeal for his client was only secondary to a deeper anxiety that the court should not violate the uniformity of its decisions by establishing a precedent fraught with anomaly and danger, while the authoritative ease and perspicuity with which he states and illustrates his opinions gives him the air, as it were, of some high legal functionary appearing on behalf of the public, not so much to debate the question before the court as to testify to the law that should decide it. So that in respect to this quality of apparent conviction and good faith, we may well apply to Mr. Plunket the words of Cicero in commendation of one of the ancient orators of Rome; nor will the illustration be found to fail from any want of coincidence in the personal characters of the two men: "*In Scauri oratione, sapientis hominis et recti, gravitas summa et naturalis quædam inerat auctoritas, non et causam, sed ut testimonium dicere putares.*"\*

But although Mr. Plunket is thus skilful in giving plausibility to reasonings that do not satisfy himself, I think it just to add (what I have heard asserted) that even his own fine understanding is often the dupe of his other faculties, and that, in the hurry and fervor of argumentation, his judgment, with all its vigilance, can not escape the snares his ingenuity has weaved for others. I have even fancied at times (when in the course of a cause some unexpected point of law is started) that I have observed his argumentative devices in the very act of imposing themselves upon his mind as irrefutable conclusions. He rises to make, perhaps, a single observation, and is about to resume his place, when a new topic in support of his argument flashes across his mind. As he proceeds to state it, fresh principles and illustrations crowd in to defend him in his posi-

\* "The speeches of Scaurus, who was a wise and virtuous man, were distinguished by the utmost dignity, and by a certain natural imposing authority which led his audience to suppose that he appeared less in the character of an advocate than of a witness."

tion : an incidental remark is thus expanded into an elaborate piece of reasoning, during the progress of which he gradually becomes more confident and earnest, until, from the intense ardor with which he follows up each successive advantage, he finally works himself into a conviction that all the merits of the question are on his side.

But it is only when he is the retained advocate of a particular party, whose claims he has to sustain in open court, that Mr. Plunket is subject to this species of mental deception. In the cold and cautious meditation of the closet, when he has to pronounce upon a disputable case submitted for his opinion, the predominance of his argumentative powers operates upon his judgment in quite another way. Instead of rushing to hasty conclusions, he finds a difficulty in coming to any conclusion at all. The very perfection of some of his faculties, his sagacity, his subtilty, and his intuitive perception of the remotest consequences of any given premise, which render him so powerful as an advocate, have in this case only the effect of encumbering him with equal arguments and equal difficulties on either side, and thus of keeping his mind in a state of logical suspense. This fact is well known, and the consequence (I speak from general report) is, that in this department of his profession his practice is utterly disproportioned to his great experience and his unrivalled estimation.

The effect of Mr. Plunket's powers is greatly aided by his external appearance.\* His frame is tall, robust, and compact.

\* Charles Phillips has thus sketched Plunket in his prime: "Who is that square-built, solitary, ascetic-looking person, pacing to and fro, his hands crossed behind his back, so apparently absorbed in self—the observer of all, yet the companion of none? It is easy to designate the man, but difficult adequately to delineate the character. Perhaps never was a person to be estimated less by appearances; he is precisely the reverse of what he feels; externally cold, yet ardent in his nature; in manner repulsive, yet warm, sincere, and steadfast in his friendships; severe in aspect, yet in reality social and companionable—that is Plunket—a man of the foremost rank, a wit, a jurist, a statesman, an orator, a logician—the Irish Gysippus! as Curran called him! in whom are concentrated all the energies and all the talents of the country. Eminent at the bar, it is in Parliament we see his faculties in their fullest development. Yet, in the Irish House of Commons, his chief displays were on a single question—that of the Union; and in the British Parliament—that of the Roman Catholic question."—M.



His face is one of the most striking I ever saw; and yea the peculiarity lies so much more in the expression than the outline, that I find it not easy to describe it. The features on the whole are blunt and harsh. There is extraordinary breadth and capacity of forehead; and when the brows are raised in the act of thought, it becomes intersected with an infinite series of parallel lines and folds. Neither the eyes nor brows are particularly expressive; nor indeed can I say that any of the other features would singly indicate the character of the man, if I except a peculiar muscular largeness and rigidity about the mouth and lips, from which you may collect, that smiling has "never been their occupation."

The general character of Mr. Plunket's countenance is deep seriousness—an expression that becomes more strongly marked from the unvarying pallor that overspreads his features. It is literally "the pale cast of thought." Some have accused his physiognomy as being unsocial and austere. To me it appeared that the signs of those qualities have been confounded with the natural and now indelible traces of a grave and vigorous intellect, habitually absorbed in masculine investigations, and preferring to dwell in the midst of its own thoughts. Nor do I find anything repelling in the circumstance that his features seldom descend for a moment from their dignity. Knowing what his mind and his history have been, I am prepared for what I meet. I find no flashes of sensibility, no play of shifting or conflicting emotions, but a calm constitutional severity of aspect, importing a mind conscious of its powers, and vigilantly keeping them in unremitted discipline against the daily task that awaits them.\*

\* Phillips truly says, that Plunket's "style was peculiar, and almost quite divested of the characteristics generally to be found in that of his countrymen. Strong, cogent reasoning—plain but deep sense—earnest feeling and imagery, seldom introduced except to press the reasoning or to illustrate it, were the distinguishing features of his eloquence: he by no means rejected ornament, but he used it severely and sparingly; and though it produced the effect, it was not directly, but rather collaterally and incidentally. He always seemed to speak for a purpose, never for mere display; and his wit, like his splendor, appeared to be struck out by the collision of the moment. In this, indeed, his art was superlative. There were passages which could not have been flung off

I expected to have found a tinge of melancholy in Mr. Plunket's features—such as I had observed in Grattan and some other eminent Irishmen, who had attended the Parliament of their country in its last moments, and who could find nothing in after-life to console them for the loss. I often heard Mr. Grattan speak upon that event. I never found him more eloquent or interesting than when, in a circle of his private friends, he poured out his indignation against a measure that had baffled all his hopes, and his unavailing regret that he had been *too confiding* at a conjuncture when it was possible to have averted the disaster. But I could discern no traces of similar sentiments in Mr. Plunket's looks. He was, however, a much younger man, and could form new views and attachments; nor is it, perhaps, surprising, that at this distance of time he should not revert with sadness to an event, which in its consequences has opened to him so much larger a field for the exhibition of his powers.

Mr. Plunket's manner is not rhetorical—it is (what I consider much better) vigorous, natural, and earnest. He has no variety of gesture, and what he uses seems perfectly unstudied. He is evidently so thoroughly absorbed in his subject, as to be quite unconscious that he has hands and arms to manage. He has a habit, when he warms, as he always and quickly does, of firmly closing both hands, raising them slowly and simultaneously above his head, and then suddenly striking them down with extraordinary force. The action is altogether un-

extempore, and must have been the result of very elaborate preparation.”—Many of his isolated passages are beautiful. In a parliamentary speech on the Catholic Claims, in 1821, speaking of the great departed who had joined in discussions, he said, “Walking before the sacred images of the illustrious dead, as in a public and solemn procession, shall we not dismiss all party feeling, all angry passions, all unworthy prejudices? I will not talk of past disputes; I will not mingle in this act of national justice anything that can awaken personal animosity.” It was the speech of which this is an atom which actually converted nine hostile votes on the Catholic Question, in the British House of Commons. The late Sir James Macintosh, who had heard all the great orators—from Pitt, Sheridan, Burke, and Fox, to Brougham, Canning, Sheil, and Macaulay—repeatedly said, that if Plunkét had been regularly trained to a British House of Commons, he would have been the greatest speaker there that he ever remembered.—M

graceful; but its strength, and I would even add, its appropriateness to the man and to his stern simplicity of character and style, atone for its inelegance. Besides, this very disdain of the externals of oratory has something imposing in it: you are made to feel that you are in the presence of a powerful mind that looks to itself alone, and you surrender yourself more completely to its guidance from the conviction that no hackneyed artifice has been employed to allure your confidence.

Mr. Plunket's delivery, as already mentioned, is uncommonly rapid, but his articulation is at the same time so distinct that I seldom lose a word. In calm discussion his intonations are deep, sonorous, and dignified: when he becomes animated, his voice assumes a higher pitch, and the tones, though always natural and impressive, are occasionally shrill. His extemporaneous powers of expression are not to be described by the common term, fluency. It is not merely over words and phrases, but over every possible variety of construction, that he appears to hold an absolute command—the consciousness of this power often involves him in grammatical difficulties. He allows a thought to drift along into the midst of obstructions, from which no outlet can be descried, as if for the mere purpose of surprising you by his adroitness when he discovers the danger, steering it in safety through all the straits and intricacies of speech—or by the boldness with which he forces a passage if he can not find one. But it is only over argumentative diction that he has acquired this mastery: when he calls in the aid of sentiment and passion to enforce his logic, his phraseology labors, and, if the passage be unpremeditated, frequently falls short of the strength and dignity of the conception. But his deficiency in this respect evidently proceeds from want of practice, not of capacity; nor does the exertion that it costs him to supply appropriate language ever restrain him from illustrating a legal argument by any bold practical figure that may cross his mind.\*

\* I shall cite a single example: it will also serve as a specimen of the proneness to imagery that prevails in the Irish courts. The question turned upon the right of presentation to a living. Mr. P.'s clients and their predecessors



Mr. Plunket is a memorable, and I believe, a solitary instance of an eminent barrister whose general reputation has been increased by his parliamentary efforts.\* His speeches had been in undisturbed enjoyment of the right for two centuries; the opposite party called upon them to show their original title. Mr. P. insisted upon the legal presumption, arising from this long possession, that the title had been originally a good one, though the deeds that had created it had been lost, and consequently could not be produced. In commenting upon the necessity and wisdom of such a rule of law, without which few properties of ancient standing could be secure, he observed—"Time is the great destroyer of evidence, but he is also the great protector of titles. If he comes with a scythe in one hand to mow down the muniments of our possessions, he holds an hour-glass in the other, from which he incessantly metes out the portions of duration that are to render those muniments no longer necessary." [Lord Brougham, who introduced this extract into his sketch of Grattan, eulogized it highly. In the equity case, which drew forth the speech in which it sparkled, Plunket was retained by Trinity College, which sought to recover the right of presentation to the living of Clonee. Mr Johnston, called "Bitter Bob," was his opponent, with a bad case and large fee. After Johnston had been voluble for some time, Plunket, assuming a ludicrous expression of surprise, questioned the relevancy of what he said, and asked "Does the learned gentleman mean to rely upon prescription or upon law?" Taken by surprise and conscious that he could not rest upon prescription, Johnston hastily answered "Oh! most certainly upon law." Plunket immediately asked, with mock gravity, "Well, then, where is your law?" Utterly confounded by the directness and suddenness of the question, Johnston faltered out "I don't know," and sat down, half crying. It was a confession at once true and candid.—M.]

\* There were many predictions of Plunket's failure in the Imperial Parliament. What Grattan had said of Flood, that an oak of the forest was too old to be transplanted at fifty, was quoted against him—though he was no more than six-and-thirty when the Union took place. Plunket, in the British, was not the fervid orator he had been in the Irish Parliament. He knew that he had a different audience, and accommodated himself to it. He imitated no speaker there—he could not be compared with any. His first speech in 1807, on the Catholic question, was a fine specimen of solid reasoning and rich eloquence, and of logical argument and historical facts. It placed Plunket in the foremost rank of modern orators. From that time until he returned to Parliament six years after, he confined himself to his profession. His own University, justly proud of him, sent him back to Parliament; and in 1813, as well as again in 1814, Plunket spoke on the Catholic question, and only on that subject. One of his incidental sarcasms, in 1814, was polished and keen. Addressing the Speaker (Abbott), who had, *ex-officio*, to return the thanks of the House to Wellington, he said, "But you, sir, while you were binding the wreath round the brow of the conqueror, assured him that his victorious followers must never expect to participate in the fruits of their valor, but that they

on the Union, in the Irish House of Commons, raised him at once to the first class of parliamentary orators. When he was returned by the University of Dublin (in 1812) to the imperial senate, Curran publicly predicted that his talents would create a similar sensation here: I need not add how completely the prophecy has been fulfilled. It would lead me too far to enter into a minute examination of Mr. Plunket's parliamentary style and manner; in many points I should have to repeat some of the foregoing remarks. I can not, however, forbear to observe, that his language and views in the House of Commons discover a mind that has thoroughly escaped the noxious influence of his professional habits. He has shown that it is possible for the same person to be a most subtle and dexterous disputant upon a technical subject, and a statesman-like reasoner upon a comprehensive one.

With regard to his political tenets—his opposition to the Union, his connection with the Whig administration of 1806, and his subsequent exertions in favor of Catholic Emancipation, seem to have placed him on the list of Irish patriots; but his support of popular privileges, where he has supported them, appears to be entirely unconnected with popular sympathies—his patriotism is a conclusion, not a passion. In all questions between the people and the state, it is easy to perceive that he identifies himself with the latter; he never, like Fox and Grattan,\* flings himself in imagination, into the popular ranks,

who had shed their blood in achieving the conquest were the only persons who were never to share the profits of success in the rights of citizens." This appears to be the germ of Sheil's striking and brilliant address to Lord Hardinge, with reference to the aid given in the field by Irish Catholics.—M.

\* Henry Grattan, the most eminent Irishman of his time, was born in 1746, in Dublin. Educated in Dublin University, he became a law-student of the Middle Temple in 1767, was called to the bar in 1772, and became member for Charlemont in 1775, for which town he sat until 1790, when he was elected by the citizens of Dublin. In 1797, he did not again become a candidate. In 1800, he was returned for Wicklow, to oppose the Union. From 1805 he was a member of the Imperial Parliament, and was the earnest and able champion of the Catholics, to his dying day. He found his country a province—he made it a nation; he found it the prey of a rapacious oligarchy—he raised it to independence; to use his own striking words, "he sat by its cradle, he followed its hearse." Grattan was the life and soul of the struggle for Irish independence,

to march at their head, and in their name, and as one of them, to demand a recognition of their rights. Mr. Plunket has not

1782. His eloquence was great, in a country where every man can freely and suitably express himself in public. His courage was indomitable, and, in truth, his sarcasm needed such support. The people, grateful, gladly confirmed the grant of fifty thousand pounds sterling made to him by the Parliament: he had refused the proposed sum of one hundred thousand pounds. With this he bought Tinnahinch, in the county of Wicklow, where he lived, as Moore said—

“’Mid the trees which a nation had given, and which bowed

As if each brought a new civic crown for his head.”

His last efforts in the Irish Parliament were against the Union. In the British House of Commons, in 1804, Fox placed him on the seat next his own; and his first speech, in favor of Fox’s motion on the Catholic question, and in reply to Dr. Duigenan, who had imported his intolerance to London, was answered by Spencer Percival, the Minister, who greatly complimented its brilliancy. In England, Grattan was more subdued than in his own land in former years, and Curran smartly said that “indeed he had brought his club into the English House of Commons, but took care, beforehand, to pare off its knobs.” He advocated the Catholic claims, by appointment, until 1815, when Sir Henry Parnell was intrusted with the conduct of the measure. His popularity had so much faded, that he was assailed, at the general election in 1818, by a mob in Dublin, and narrowly escaped with life. In 1819, his motion for a committee on the Catholic claims was lost by a majority of only *two*. In June, 1820, he hurried over, weak in health, and worn by seventy-four years, to present the Catholic petition once more—but died before he could do it. His remains found interment in Westminster Abbey, next to those of Mr. Fox. His person was short and clumsy, with disproportionably long arms; his voice shrill and badly managed; his manner artificial, his action vehement and unnatural—but his diction, or wardrobe of words, was rich in the extreme; his language full of epigram and antithesis; his sentences harmonious and forcible; his powers of attack and defence never equalled. The brilliant character of Grattan’s oratory was thus indicated by Moore, in one of his Irish Melodies:—

“Who, that ever hath heard him—hath drunk at the source

Of that wonderful eloquence, all Erin’s own,

In whose high-thoughted daring, the fire and the force,

And the yet untamed spring of her spirit, are shown?

“An eloquence rich, wheresoever its wave

Wandered free and triumphant, with thoughts that shone through,

As clear as the brook’s ‘stone of lustre,’ and gave,

With the flash of the gem, its solidity too.”

Grattan was a politician, but not a statesman. Yet, from 1775 until 1800, the history of Grattan is the history of Ireland. His son has published an excellent Memoir of him, and had previously edited his speeches. Undoubtedly Grattan was a remarkable man—one of the master-spirits of his age.—M.



temperament for this. He studiously keeps aloof from the multitude, and even when their strenuous advocate, lets it be seen that he thinks *for* them, not *with* them—he never warms into “the man of the people.” His most animated appeals in their behalf retain the tone of a just and enlightened aristocrat, gravely and earnestly remonstrating with the members of his own body, upon the danger and inexpediency of holding out against the immutable and unconquerable instincts of human nature.

The only exception that I recollect to these remarks, occurs in his speeches against the Union. There he boldly plunged into first principles; as, among other instances, when he exclaimed, “I, in the most express terms, deny the competency of Parliament to do this act—I warn you, do not dare to lay your hand on the Constitution. I tell you that if, circumstanced as you are, you pass this act, it will be a nullity, and that no man in Ireland will be bound to obey it. I make the assertion deliberately—I repeat it—and I call on any man who hears me to take down my words: you have not been elected for this purpose—you are appointed to make laws, and not legislatures. You are appointed to act under the constitution, not to alter it; to exercise the functions of legislators, and not to transfer them: and if you do so, your act is a dissolution of the government; you resolve society into its original elements, and no man in the land is bound to obey you.” Yet even here, and in some bolder declarations on the same occasion, I am inclined to suspect that Mr. Plunket assumed this indignant tone, rather as a member of the assembly whose independence was assailed, than from any impassioned sympathy with the general rights of the body that he represented. Had the question been a popular reform, instead of the extinction of the Irish parliament, he would, in all likelihood, have been equally vehement in resisting the innovation.

Mr. Plunket’s general reading is said to be limited; and if we may judge from the rareness of his allusions to the great writers of ancient and modern times, the opinion is not unfounded. When he was about to appear in the British parlia-

ment in 1812, it was whispered among his friends, that he prepared himself with information on the general state of European politics from the most ordinary sources: he wanted facts, and he took the shortest and easiest method of collecting them. I have understood that, up to a recent period, he frequently employed his leisure hours upon some elementary treatise of pure mathematics. If the fact be so, it affords a striking proof of the vigor of a mind which could find a relaxation in such a pursuit.\*

I have already glanced at a resemblance between Mr. Plunket and the late Sir Samuel Romilly. If I were to pursue the comparison into the private characters of the two men, the points of similarity would multiply, and in no particular more strikingly than in the softness and intensity of their domestic affections. But this is sacred ground: yet I can not forbear to mention that it fell to my lot (when last in Ireland), sitting as a public auditor in the gallery of the Court of Chancery, to witness a burst of sensibility, which, coming from such a man as Mr. Plunket, and in such a place, sent an electric thrill of sympathy and respect through the breasts of the audience. An aged lady, on the day after her husband's death, had signed a paper, resigning her right to a portion of property

\* Although Plunket, as his aspect showed, was of a saturnine temperament, he was not above enjoying and even making a joke. Once, at a dinner with Dr Magee, Archbishop of Dublin, one of the company was a pedantic collegian, who asked his host whether he had heard of the difference between Brinkley (afterward Bishop of Cloyne) and Pond, respectively Astronomers Royal of Ireland and England. "Brinkley," said the bore, "contends that the parallax of a Lyrae is three seconds; Pond says it is only two,—and the dispute is violent." Plunket, who was one of the party, quietly remarked "Ah, sir, it must be a very bad quarrel, *when the seconds can not agree.*"—When the Grenville Ministry was formed, in 1806, Charles Kendal Bushe, suspected of being a waverer, absented himself from Court, on the ground that he was *cabinet-making*. The excuse transpired, and Plunket said "Bushe will beat me at that—I am neither a *joiner* nor a *turner*."—After quitting the Common Pleas, in 1827, to take the Great Seal, he was told that his successors had little or nothing to do. "Well," said he, "*they're equal to it.*" He could even joke at his own expense. On his enforced retirement, in 1841, to make way for Lord Campbell, a great storm arose on the day of his successor's expected arrival, a friend said, how sick of his promotion the voyage must have made him. "Yes," said Plunket, with a sardonic smile, "*but it won't make him throw up the Seals.*—M.

to which she became entitled by his decease; and the question was, whether her mind at the time was perfectly calm and collected. Mr. Plunket insisted that it was not in human nature that she could be so at such a crisis.—“She had received a blow such as stuns the strongest minds: after a union of half a century, of uninterrupted affection, to find the husband, the friend, the daily companion, suddenly called away for ever!” He was proceeding to describe the first anguish and perturbation of spirit that must befall the survivor of such a relation, when he suddenly recognised in the picture all that he had himself a little while before endured. The recollection quite subdued him—he faltered, and became inarticulate even to sobbing. I can not describe the effect produced throughout the court.

I have thus attempted to present a sketch of this eminent Irishman\*—in matters of intellect unquestionably the most

\* Lord Plunket, who was born in 1764, is now (1854) in his ninetieth year. Brought into the Irish Parliament by the Earl of Charlemont he bitterly denounced the contemplated Union, and was violently personal on the Irish Secretary, Lord Castlereagh, who managed the ministerial details. His Lordship, a handsome man (who, Sir Walter Scott thought, was the most distinguished-looking personage at the Coronation in 1821, as he walked, unaccompanied, in the full dress of a Knight of the Garter), had been married for some years to the young and lovely daughter of the Earl of Buckinghamshire, and it was their misfortune to be childless. During a debate, when Lady Castlereagh was present, Plunket concluded a personal attack on her husband by saying, “I can not believe that that constitution, the foundations of which were laid by the wisdom of ages, and cemented by the blood of patriotic heroes, is to be smitten to its centre by *such a green and sapless twig* as this!” The venom of the stroke, imputing political and insinuating personal imbecility, was deeply felt. After the Union, Plunket fought side by side with Curran, on the popular side; but, in 1803, he appeared against Robert Emmett, as already mentioned. After the Union, also, he had unsuccessfully been a parliamentary candidate for the University of Dublin. In 1806, the death of Pitt admitted the Whigs to office. Self-boasting as they had been, the soubriquet of “All the Talents” was given to their official capacity. In 1807, they quitted place, and Plunket, who would have been retained by their successors if he pleased, went out with them; nor did he again assume office until 1822, when (at the instance of the same Lord Castlereagh whom he had formerly attacked, but who desired parliamentary assistance against the hollow friendship of Canning and the open hostility of Brougham) he succeeded Mr. Saurin as Attorney-General. He had previously defended, in Parliament, what was called the “Massacre of Peterloo,” in



eminent that now exists. If I intended it to be anything but a hasty sketch, I should feel that I have been unjust to him. Some of his powers—his wit and irony, for example, in both of which he excels, and his cutting and relentless sarcasm, where vice and folly are to be exposed—have been altogether unnoticed; but his is the “*versatile ingenium*,” and, in offering the result of my observations upon it, I have been compelled to select rather what I could best describe, than what I most

the Manchester riots of 1819. As first Irish law-officer of the Crown, Plunket did not appear to advantage. When a bottle was flung at the Viceroy, in the theatre, Plunket hastily indicted the rioters for high-treason, and as hastily withdrew the indictment before trial. His bills of indictment were ignored, his *ex-officio* prosecutions defeated, and his Orange antagonists cheaply obtained the honor of political martyrdom. In 1827, when a new Premier was necessary, on the illness of Lord Liverpool, Canning was appointed, and thought so highly of Plunket as to offer him a peerage, a seat in the Cabinet, and the high office of Master of the Rolls in England. Plunket was actually appointed, but the English bar, declaring that Westminster Hall must supply the new Judge, intimated that they would not plead before Plunket. The end was that he became Chief-Justice of the Common Pleas in Ireland, instead of Master of the Rolls in England—and became a peer as “Baron Plunket, of Newton, County of Cork.” By his speeches and his vote, he assisted in the Emancipation Bill of 1829; and when the Whigs took office, in 1830, Earl Grey made him Lord-Chancellor of Ireland, a position which he retained until December, 1834, when Sir Robert Peel, on the change of Ministry, appointed Sir Edward Sugden (now Lord St. Leonards, and late Lord-Chancellor of England), an English barrister of great ability. In April, 1835, Plunket resumed the Irish Chancellorship, and retained it until June, 1841. The Melbourne Ministry, then within three months of its dissolution, wished to provide for Sir John Campbell, who had been in office nine years. His wife had already been appointed a peeress in her own right (Baroness Stratheden), but he desired for himself the retiring pension of four thousand pounds sterling always given to an ex-Chancellor. Accordingly, Lord Plunket, whose judicial career had been highly satisfactory, received a hint that he must retire! Plunket, recollecting how the English bar had refused him, was reluctant to see an English lawyer, who knew nothing of equity, named as his successor. He refused to retire, was informed that he would be dismissed if he did not, and finally resigned, stating the whole case in open Court, in his farewell address to the bar. He said he had no share in what had taken place, directly or indirectly, and entirely repudiated the change. Campbell, created a peer, heard a few motions as Chancellor, and went out, shortly after, on the large pension he had coveted. He is now Chief-Justice of England.—Lord Plunket retired into private life in 1841, and enjoys the four thousand pounds pension, and a large private fortune, earned by his professional labors.—M.

admired ; and even if I had succeeded in a delineation of all the powers that raise Mr. Plunket above ordinary men, I should have had to add, that our admiration of him is not limited by what we actually witness.

We speculate upon his great attributes of intellect, and ask, "What might they not have achieved, had his destiny placed him in the situation most favorable to their perfect development? If, instead of wasting them upon questions of transitory interest, he had dedicated them solely to the purposes of general science—to metaphysics, mathematics, legislation, morals, or (what is but spoken science) to that best and rarest kind of eloquence, which awakes the passions only that they may listen to the voice of truth—to what a height and permanence of fame might they not have raised him?"

These reflections perpetually force themselves upon Mr. Plunket's admirers : we lament to see the vigor of such a mind squandered upon a profession and a province. We are incessantly reminded that, high and successful as his career has been, his opportunities have been far beneath his resources. and thus, judging him rather by what he could do than what he has done, we are disposed to speak of him in terms of encomium, which the records of his genius will remain to justify.

## CHARLES KENDAL BUSHE.

THE name of CHARLES KENDAL BUSHE is not so extensively known as that of Plunket beyond the immediate field in which his talents (which are of the first order) have been displayed. But in Ireland it is almost uniformly associated with that of Plunket, by those who descant upon the comparative merits of their most distinguished advocates. The latter is better fitted to the transactions of ordinary business, and, in a profession which is generally conversant with the details of common life, exhibits a dexterity and astuteness which render him the most practical, and, therefore, the ablest man at the Bar. He is always upon a level with his subject, and puts forth his faculties, as if they were as subservient as his limbs to the dominion of his will, in the most precise and minute adaptation to the purposes for which they may happen to be required. The self-control which his mind possesses in so high and rare a degree (and it is more difficult, perhaps, to men of true genius to descend from their native elevation than to persons of inferior endowments to raise their faculties to the height of a "great argument") has given him an almost undisputed mastery in the discussion of those topics which constitute the habitual business of the Bar. His hearers are not conscious that he is in reality exercising his great powers while he addresses them in the plainest speech and apparently in the most homely way.

An acute observer would discover that his reasonings upon the most vulgar topic were the perfection of art, and that under the guise of simplicity he concealed the most insidious



sophistry, and subtleties the most acute. This seeming ingeniousness is the consummation of forensic ability; and however it is to be estimated in a moral point of view, there can be no doubt that at the Bar it is of incalculable use. Mr. Plunket is the chief sophist, and for that reason the most useful disputant in his profession; and it must be confessed that the deliberations of a court of justice do not call so much for the display of eloquence as for the ingenious exercise of the powers of disputation. I am far from thinking Mr. Bushe deficient in refinement and dexterity; on the contrary, he would be conspicuous for those qualities unless when he is placed in comparison with the great arch-hypocrite of the Bar. But who could be his rival in that innocent simulation which constitutes the highest merit of a modern lawyer? The ingenuity of Bushe is too apparent. His angling is light and delicate; but the fly is too highly colored, and the hook glitters in the sun. In the higher departments of oratory he is, perhaps, equal and occasionally superior to Mr. Plunket, from the power and energy of his incomparable manner; but in the discharge of common business in a common way, he holds a second, though not exceedingly distant place.

Mr. Bushe is the son of a clergyman of the established church, who resided at Kilmurry, in the county of Kilkenny, in the midst of the most elegant and most accomplished society in Ireland. He was in the enjoyment of a lucrative living, and being of an ancient family, which had established itself in Ireland in the reign of Charles the Second, he thought it incumbent upon him to live upon a scale of expenditure more consistent with Irish notions of dignity than with English maxims of economy and good sense. He was a man of refined manners, and of polished if not of prudential habits. His son Charles imbibed from him an ardent love of literature, and had an opportunity from his familiar intercourse with the best company in the kingdom, to acquire those graces of manner which render him a model of elegance in private life, and which, in the discharge of professional business, impart such a dignified suavity to his demeanor as to charm the senses before the understanding is addressed. His mother was the sister of Major

General Sir John Doyle,\* and is said to have been a highly-cultivated woman.

Mr. Bushe received his education in the University of Dublin, and, I may add, in the Historical Society which was established by the students for the cultivation of eloquence and of the arts which are connected with it. Although it derived its appellation from the study of history, to which it was nominally dedicated, the political situation of the country speedily directed its pursuits to the acquisition of the faculty of public speech; through which every man of talent expected to rise into eminence, at a period when oratory was the great staple commodity in the intellectual market. This institution rose of its own accord out of the spontaneous ambition of the students of the University. So far from assisting its growth, the fellows of the college employed every expedient to repress it. In the true spirit of monks (and however they may differ in the forms of their faith, in their habits, and, in the practical results in which their principles are illustrated and embodied, the monks of all religions are inveterately the same), the superiors of the University took the society under their baneful protection. They attempted to hug it to death in their rugged and hirsute embrace. The students, however, soon became

\* The late General Sir John Doyle was private Secretary to the Prince of Wales for many years, when that profligate was taking a leading part in the "Road to Ruin." Doyle, who was then only a Major in the army, was an Irishman and had distinguished himself by some clever opposition speeches in the Irish House of Commons. — The Prince met him accidentally at a large party, was struck with his intelligence and vivacity, invited him to the Pavilion, at Brighton, and speedily offered him the most confidential post in his household. To his latest day, Doyle used to say that George, Prince of Wales, merited the title of "the first gentleman in Europe," and it should be noted that he who gave this opinion had spent all his life in the best society, at home and abroad. Doyle was a wit. The Prince had gone to the opening of Parliament, wearing diamond epaulettes on his military uniform. At dinner, Doyle said he had been among the crowd, who much admired the Prince's equipage, and that one of them, looking at the diamond epaulettes, said, "Tom, what amazing fine things the Prince has got upon his shoulders?" and the other had answered, "Ay, fine enough, and they will soon be *on our shoulders*." There was a smile all around the royal table, for freedom of speech was fully allowed there, and the Prince laughingly retorted, "You rogue, that shaft could come from no bow but your own." — M.

aware of the real objects of their interference, and were compelled, in order to preserve the institution from the consequences of so impure a connection, to recede from the University, and hold their meetings beyond its walls.

Mr. Bushe had been recently called to the Bar, but had not yet devoted himself to its severer studies with the strenuous assiduity which is necessary for success in so laborious a profession. But the fame which he had acquired in the society itself, induced its rebellious members to apply to him to pronounce a speech at the close of the first session which was held beyond the precincts of the college, for the purpose of giving the dignity and importance to their proceedings which they expected to derive from the sanction of his distinguished name. Mr. Bushe acceded to the request, and pronounced a very eloquent oration, which Mr. Phillips has, I observe, inserted in his collections of "*Specimens of Irish Oratory*."\* It is re-

\* This work, which, published in Dublin in 1819, was republished in Philadelphia in 1820, is called "*Specimens of Irish Oratory*," and contains, with very brief memoirs, examples of the oratory of Burke, Curran, Grattan, Sheridan, Burrowes, Bushe, Plunket, and Flood. Charles Phillips, born at Sligo, in 1788, graduated at Dublin University, and was called to the Irish bar in 1812, where his florid oratory obtained him considerable practice in adultery, seduction, and breach-of-promise-of-marriage cases. He collected his speeches in one volume in 1817, and they obtained a large sale. He also edited "*Specimens of Irish Eloquence*," wrote a poem called "*The Emerald Isle*," and wrote "*Recollections of Curran*," which speedily ran through two large editions, and was reproduced in 1850, entirely recast, enlarged, and improved, as "*Curran and his Contemporaries*," which has gone into several editions, and was republished in New York, in 1851. Phillips went to the English bar, in 1819, where his peculiar style of eloquence did not please. He obtained extensive criminal practice, and adhered steadily to the liberal principles of his youth. In 1842, on the establishment of District Courts of Bankruptcy in England, the influence of his stanch friend Lord Brougham obtained him a commissionership at Liverpool, with a salary of eighteen hundred pounds sterling a year. He subsequently resigned this, and became one of the London Commissioners of the Insolvents' Court. It is matter for reproach, as well as regret, that, during the last ten or twelve years of comparative leisure, Phillips has done so little as a literary man—a calling in which he has so well acquitted himself. Curran, who much loved him, was fully sensible of the faults of Phillips's early oratory, and said: "There is much more of flower than figure or art; more of fancy than design. It is like (as I suspect the mind of the author to be) a tree in full blossom: shake it and you have them on the ground in a minute, and it would take a season to reproduce them."—M.



markable for purity and simplicity of style, and for an argumentative tone, which, in so young a man, who had hitherto exercised himself upon topics which invited a puerile declamation, and the discussion of which was a mere mockery of debate, afforded grounds for anticipating that peculiar excellence which he afterward attained. A few metaphors are interspersed, but they are not of the ordinary class of Irish illustration; and what was unavoidable in an assembly composed of insurgent students, an hyperbole is occasionally to be found in the course of this very judicious speech. But, taken as a whole, it bears the character of the mature production of a vigorous mind, rather than of the prolusion of a juvenile rhetorician.\*

This circumstance is a little remarkable. The passion for figurative decoration was at this time at its height in Ireland. The walls of the parliament house resounded with dithyrambics, in which, at the same time, truth and nature were too frequently sacrificed to effect. The intellect of the country was in its infancy, and although it exhibited signs of athletic vigor, it was pleased with the gorgeous baubles which were held out for its entertainment. It is, therefore, somewhat singular, that while a taste of this kind enjoyed so wide and almost universal a prevalence, Mr. Bushe should, at so early a period of his professional life, have manifested a sense of its imperfections, and have traced out for himself a course so different from that which had been pursued by men whose genius had invested their vices with so much alluring splendor. This circumstance is partly, perhaps, to be attributed to the strong instinct of propriety which was born with his mind, and, in some degree, to his having passed a considerable time out of Ireland, where he became conversant with models of a purer, if not of a nobler eloquence, than that which was cultivated in the sister kingdom. He lived in France for some

\* The beautiful speech which Bushe delivered from the chair of the Historical Society, in closing its twenty-fourth session, in June, 1794, was published by Phillips in his "Specimens." Bushe's own copy of this book was annotated by himself in 1827, and he has marked this speech as "mostly puerile." Some passages he noted as "bad," some "not good," and only one as "good."—In fact, he was very fastidious as to his own productions.—M.

years, among men of letters; and although the revolution had subverted, in a great degree, the principles of literature as well as of government, yet enough of relish for classical beauty and simplicity had survived, among men who had received the advantages of education, to furnish him with the opportunity, of which he so advantageously availed himself, of cultivating a better style of expression than he would, in all probability, have adopted had he permanently resided in Ireland.

It may appear strange that I should partly attribute the eminence in oratory to which Mr. Bushe has attained, to the Historical Society, after having stated that he deviated so widely from the tone of elocution which prevailed in that establishment, and in which, if there was little of childishness, there was much of boyhood. But, with all its imperfections, it must be recollected that such an institution afforded an occasion for the practice of the art of public speaking, which is as much, perhaps, the result of practical acquisition, as it is of natural endowment. A false ambition of ornament might prevail in its assemblies, and admiration might be won by verbose extravagance and boisterous inanity; but a man of genius must still have turned such an institution to account. He must have thrown out a vast quantity of ore, which time and circumstance would afterward separate and refine. His faculties must have been put into action, and he must have learned the art, as well as tasted the delight, of stirring the hearts and exalting the minds of a large concourse of men. The *physique* of oratory too, if I may use the expression, must have been acquired. A just sense of the value of gesture and intonation results from the practice of public speaking; and the appreciation of their importance is necessary to their attainment. It is for these reasons that I am inclined to refer a portion of the prosperity which has accompanied Mr. Bushe through his profession, to an institution, the suppression of which has been a source of great regret to every person who had the interests of literature at heart.

The reputation which Mr. Bushe had acquired among his fellow-students, attended him to his profession; and in a very

short period, he rose into the public notice as an advocate of distinguished abilities. It was, indeed, impossible that he should remain in obscurity. His genius was not of such a character as to stand in need of a great subject for its display. The most trivial business furnished him with an occasion to produce a striking effect. There are some men who require a lofty theme for the manifestation of their powers. Their minds demand the stimulus of high passion, and are slow and sluggish unless awakened by the excitement which great interests afford.

This is peculiarly the case with Mr. Burrowes,\* who, upon a noble topic, is one of the ablest advocates at the Irish bar, but who seems oppressed by the very levity of a petty subject, and sinks under its inanity.

He is in every respect the opposite of Mr. Bushe, who could not open his lips, or raise his hand, without immediately exciting and almost captivating the attention of every man around him. There is a peculiar mellowness and deep sweetness in his voice, the lower tones of which might, almost without hazard of exaggeration, be compared to the most delicate notes of an organ, when touched with a fine but solemn hand. It is a voice full of manly melody. There is no touch of effeminacy about it. It possesses abundance as well as harmony, and is not more remarkable for its sweetness than in its sonorous depth. His attitude and gesture are the perfection of "easy art"—every movement of his body appears to be swayed and informed by a dignified and natural grace. His countenance is of the finest order of fine faces, and contains an expression of magnanimous frankness, that, in the enforcement of any cause which he undertakes to advocate, invests him with such a semblance of sincerity, as to lend to his assertion of fact,

\* Burrowes was one of the most absent of men. He it was who was found at breakfast-time, standing by the fire with an egg in his hand and his watch in the saucepan. But, as a barrister, he had great influence with a jury—sometimes reaching the purest eloquence. "Devoid of every grace and every art," says Phillips, "ungainly in figure, awkward in action, discordant in voice, no man more riveted the attention of an audience and more repaid it. His mind was of the very highest order; his manner forced the conviction of his sincerity, and his arguments were clothed in language chaste and vigorous."—M.



or to his vindication of good principle, an irresistible force.\* It was not wonderful that he should have advanced with extreme rapidity in his profession, seconded as he was by such high advantages. It was speedily perceived that he possessed an almost commanding influence with the jury; and he was in consequence employed in every case of magnitude, which called for the exertion of such eminent faculties as he manifested upon every occasion in which his powers were put into requisition.

Talents of so distinguished a kind could not fail to raise him into political consequence, as well as to insure his professional success. The chief object of every young man of abilities at the bar was to obtain a seat in Parliament. It secured him the applause of his country if he devoted himself to her interest; or, if he enlisted himself under the gilded banners of the minister, place, pension, and authority, were the certain remunerations of the profligate services which his talents enabled him to bestow upon a government, which had reduced corruption into system, and was well aware that it was only by the debasement of her legislature that Ireland could be kept under its control. The mind of Mr. Bushe was of too noble a cast to lend itself to purposes so uncongenial to a free and lofty spirit; and he preferred the freedom of his country, and the retributive consciousness of the approbation of his own heart, to the ignominious distinctions with which the administration would have been glad to reward the dereliction of what he owed to Ireland and to himself. Accordingly we find, that Mr. Bushe threw all the energy of his youth into opposition to a measure which he considered fatal to that greatness which Nature appeared to have intended that his country should attain; and to the last he stood among the band of patriots who offered a generous but unavailing resistance to a legislative Union with Great Britain.

\* Bushe was by no means a handsome man. Phillips speaking of his "Mirabeau-formed figure — Mirabeau, indeed, in shape and genius, without the alloy of his vices or his crimes. What sweetness there is in his smile! what thought in his brow! what pure benevolence in the beaming of his blue unclouded eye!"—M.

However, as an Englishman, I may rejoice in an event, which, if followed by Roman Catholic Emancipation, will ultimately abolish all national antipathy, and give a permanent consolidation to the empire; it can not be fairly questioned that every native of Ireland ought to have felt that her existence was at stake, and that, in place of making those advances in power, wealth, and civilization, to which her natural advantages would have inevitably led, she must of necessity sustain a declension as rapid as her progress toward improvement had previously been, and sink into the provincial inferiority to which she is now reduced. This conviction, the justice of which has been so well exemplified by the event, prevailed through Ireland; and it required all the seductions which the minister could employ, to produce the sentence of self-annihilation, which he at last succeeded in persuading a servile legislature to pronounce. To the honor of the Irish Bar, the great majority of its members were faithful to the national cause; and Curran, Plunket, Ponsonby,\* Saurin, Burrowes, and Bushe, accomplished all that eloquence and patriotism could effect, in opposition to the mercenaries, who had sold the dignity of their profession, as well as the independence of their country, in exchange for that ignoble station, to which, by their slimy profligacies, they were enabled to crawl up. Bushe was the youngest of these able and honest men; but he was among the most conspicuous of them all.

In this strenuous resistance which was offered by the respectable portions of the Irish Bar to the measure which deprived Ireland of the advantages of a local legislature, a con-

\* George Ponsonby, whose father had been speaker of the Irish House of Commons, was born in 1755, called to the Irish bar in 1780, was a violent parliamentary opponent of the Irish ministry, was appointed Lord Chancellor of Ireland, in 1806, by "All the Talents" Cabinet, procured a peerage at the same time for his elder brother, quitted office with his colleagues in 1807, on the retiring pension of four thousand pounds sterling a year, became a distinguished member of the Opposition, and died in July, 1817. He was not eloquent. A clever parody on Moore's "Believe me if all those endearing young charms" introduces his name thus—

"And Ponsonby leaves the debate when he sets,  
Just as dark as it was when he rose."—M.

sciousness of deep personal interest must have been mingled with their public virtue; for, it was not difficult to foresee that the profession from which the government was compelled to make the selection of its parliamentary advocates, and to which the country looked for its ablest support, must sustain a fatal injury, from the deprivation of the opportunities of venality upon one hand, and of profitable patriotism upon the other. The House of Commons was the field to which almost every lawyer of abilities directed his hopes of eminence rather than to the courts of law; and it must be acknowledged, that with that field the career to high fame is closed upon the profession. Money may now be made in equal abundance by laborious ability (and, indeed, the quantity of talent and of industry at the Irish Bar demand in every individual who aims at important success a combination of both); but no very valuable reputation can be obtained.

Perhaps in the estimate of black-letter erudition the change is not to be deplored: and unquestionably the knowledge of law (for a few years ago the majority of barristers in full practice were ignorant of its elementary principles) has considerably increased, and English habits of business and of diligence are gradually beginning to appear. But the elevated objects of ambition, worthy of great faculties and of great minds, were withdrawn for ever. Mr. Bushe must have repined at the prospect. He would naturally have sought for mines of gold amid the heights of fame, and he was now reduced to the necessity of digging for it in an obscure and dreary level. It is well-known that Mr. Plunket had at the time entertained the intention of going to the English Bar, in consequence of the exportation of the legislature;\* but the cautious timidity of his advisers induced him to abandon the idea. I am not aware whether Mr. Bushe had ever proposed to himself an abandonment of a country, from which true genius must have been tempted to become an absentee. But it is likely that his

\* Curran was so dispirited with what passed in the Irish "Reign of Terror," in 1798, that though then forty-eight years old, he also had serious thoughts of abandoning the Irish for the English bar. He stated this fact in one of his speeches in defence of the state prisoners.—M.



pecuniary circumstances, which, in consequence of his spontaneous generosity in paying off his father's debts (his own sense of duty had rendered them debts of honor in his mind) were at this period extremely contracted, must have prevented him from engaging in so adventurous an enterprise.

To him, individually, however, if the Union was accompanied with many evils, it was also attended with counter-vailing benefits. Had the Irish Parliament been permitted to exist, Mr. Bushe would, in all probability, have continued in opposition to the government, upon questions to which much importance would have been annexed. Catholic Emancipation, which is now not only innocent, but in the mind of almost every enlightened man has become indispensable, would have been regarded as pregnant with danger to the state. Mr. Bushe, I am satisfied, could never have brought himself to resist what his own instincts must have taught him to be due to that justice which he would have considered as paramount to expediency. Many obstacles would have stood in the way of a sincere reconciliation with the government, and he could not afford to play the part of Fabricius. Whether the arguments which Lord Castlereagh\* knew so well how to apply,

\* It was Robert Stewart, Lord Castlereagh (who succeeded his father in 1821, as Marquis of Londonderry), who chiefly brought about the Union. Born in 1769, he entered the Irish parliament in early manhood, when Mr. Stewart, after a contest which cost thirty thousand pounds sterling, joined the opposition, and advocated Parliamentary Reform, which Pitt then favored. When he became a member of the British Parliament, he became ministerial. In 1797, after he had become Lord Castlereagh, he returned to the Irish Parliament and was made Keeper of the Privy Seal in Ireland, and, soon after, one of the Lords of the Treasury. In 1798, he became Irish Secretary, and wielded immense power. In 1805, still sitting in the Imperial Parliament for the county of Down, he was admitted into the British Cabinet, retired on the death of Mr. Pitt, but resumed office in 1807, when the Grenville Ministry broke up. In 1809, quarrelling with Mr. Canning, whom he wounded in a duel, he quitted office, but succeeded the Marquis Wellesley, in 1812, as Foreign Secretary, which office he retained until his suicide, in August, 1822. He took part in the negotiations at the Congress of Vienna, after the fall of Napoleon. From that time until the close of his life, he was leader of the ministerial party, and governed the British empire with a strong hand. Constant mental labor led to insanity and death. At his funeral, when his remains were entering Westminster Abbey, where he was buried, the populace gave

and before which, in the estimate of the House of Commons, all the eloquence of Grattan was reduced into a magnificent evaporation, would have prevailed upon Mr. Bushe; as they did with the majority of the Irish members, it is unnecessary to conjecture; but unquestionably had not the Union passed, he must have abandoned his political opinions before he could have been raised to office. When, however, that measure was carried, a compromise became easy, and was not, in my opinion, dishonorable.

Accordingly, although he had opposed the government on the measure which they had most at heart, their just sense of his talents induced them to offer him the place of Solicitor-General, to which he was promoted in thirteen years after he had been called to the Bar. That office he has since held, and rendered the most important services to the minister, without, perhaps, at the same time, ever having been guilty of any direct dereliction of his former opinions. He was placed, indeed, in rather an embarrassing condition; for his associate, or rather, his superintendent in office, Mr. Saurin,\* was conspicuous for his hatred to the Roman Catholic cause, of which Mr. Bushe had been, and still professed himself, the earnest friend. This antipathy to the Roman Catholics formed the leading, I may say, the only feature, in the political character of Saurin, who had simplified the theory of government in Ireland, by almost making its perfection consist in the oppression of a majority of its people. Bushe, on the other hand, had often declared, that he considered the general degradation of so large a class of the community as incompatible with national felicity.

This difference of opinion is said to have produced a want of cordiality between the two servants of the crown: Bushe, however, with all his liberality of feeling (and I have no

three shouts of joy over his coffin. A like demonstration marked the funeral of Lord Chancellor Clare, in Ireland; he had threatened to make the Irish people "tame as cats," and the exasperated thousands who gladly witnessed the close of his career, flung heaps of dead cats upon his coffin.—M.

\* Mr. Saurin, Attorney-General to Ireland from 1807 until 1822, is the subject of a subsequent sketch.—M.

doubt that his professions were entirely sincere), was of infinitely more use to the government than Saurin could possibly have been, when the suppression of the Roman Catholic board\* was resolved upon. The latter, upon the trial of the delegates, exhibited a sombre virulence, which was calculated to excite wonder rather than conviction. Its gloomy animosity was without a ray of eloquence.

Bushe produced a very different effect. He stood before the jury as the advocate of the Catholic cause, to suppress the Roman Catholic board. The members of that body had been designated as miscreants by Mr. Saurin (that learned gentleman appears to be averse to any circumlocutory form of phrase); Solicitor-General Bushe called them his friends. With a consummate wile he professed himself the champion of the people, and put forth all his ardor in insisting upon the necessity of concession to six millions of men. To the utterance of these sentiments, which astonished Mr. Saurin, he annexed the full power of his wonderful delivery.† His countenance became inflamed; his voice assumed all the varieties of its most impassioned intonation; and his person was informed and almost elevated by the consciousness of the noble thoughts which he was enforcing, for the purpose of investing the very fallacies

\* The Roman Catholic Board was the precursor of the Catholic Association of 1825. Before it dissolved, it voted O'Connell a service of plate worth one thousand pounds sterling, as an acknowledgment of his zeal and ability.—M.

† Bushe's manner must have been very good. Phillips, writing in 1818, thus described it: "To be properly appreciated, Bushe must be seen and heard. He is the living justification of Demosthenes' dictum—*emphatically the orator of manner*. His eye—his face—his gesture—his very hand, *speaks*; all grace, all sweetness, all expression—his tongue, dropping manna, is, perhaps, the most silent organ of his oratory." In 1850, Phillips again said: "By nature enriched with the rare gift of genius, he engrafts on it every grace that art can furnish. The sweet-toned tongue, lavishing profusely the treasures of language, intellect, and learning, speaks not more expressively to heart or head, than the glance, the action, the attitude, which wait upon his words, as it were, with an embodied eloquence." He subsequently praised the consummate acting, where "not one trace of art betrays the toil by which it has been fashioned into Nature's image," and eulogizes "the might of his reasoning, the music of his diction, and the absolute enchantment of his exquisite delivery." This is high praise, but most of his contemporaries have said as much.—M.



which he intended to inculcate with the splendid semblances of truth.

After having wrought his hearers to a species of enthusiasm, and alarmed Attorney-General Saurin by declaring, with an attitude almost as noble as the sentiment which it was intended to set off, that he would throw the constitution to his Catholic countrymen as widely open as his own breast, he suddenly turned back, and, after one of those pauses, the effect of which can be felt by those only who have been present upon such occasions, in the name of those very principles of justice which he had so powerfully laid down, he implored the jury to suppress an institution in the country, which he asserted to be the greatest obstacle to the success of that measure, for the attainment of which it had been ostensibly established.

The eloquence of Mr. Bushe, assisted by certain contrivances behind the scenes, to which government is, in Dublin, occasionally obliged to resort, produced the intended effect. I doubt not that a jury so properly compounded (the panel of which, if not suggested, was at least revised) would have given a verdict for the crown, although Mr. Bushe had never addressed them. But the government stood in need of something more than a mere verdict. It was necessary to give plausibility to their proceedings, and they found it in the oratory of this distinguished advocate. Is it not a little surprising that Mr. Bushe should, in despite of the vigor of his exertions against the Catholic board, and their success, have still retained his popularity? It would be natural that such services as he conferred upon the ministry, which appeared so much at variance with the interests, and in which he acted a part so diametrically in opposition to the passions of the people, should have generated a feeling of antipathy against him. But the event was otherwise. He had previously ingratiated himself so much in the general liking, and so liberal an allowance was made for the urgency of the circumstances in which he was placed, that he retained the favor not only of the better classes among the Roman Catholics, but did not lose the partialities of the populace itself. At all events, the benefits he rendered to the

government were most material, and gave him the strongest claims upon their gratitude.\*

Another remarkable instance occurred not very long ago, of the value of such a man to the Irish administration, and it is the more deserving of mention, as it is connected with circumstances which have excited no inconsiderable interest in the House of Commons, and brought Mr. Plunket and his rival into an immediate and honorable competition. I allude to the case of the Chief Baron O'Grady,† when he set up a claim to nominate to the office of clerk of the pleas in the Court of Exchequer in Ireland. The prize for which the learned Judge was adventuring was a great one, and well worth the daring experiment for which he exposed himself to the permanent indignation of the government. The salary of the office was to be counted by thousands, and the Chief Baron thought it would be as conducive to the public interests, and as consistent with the pure administration of justice, that he should appoint one of his own family to fill the vacancy which had occurred, as that the local ministry of Ireland should make the appointment. The matter was brought before Parliament; and much

\* At Kilkenny private theatricals, when pressed for an opinion, he said that he preferred the *prompter*, for he heard the most and saw the least of him. At a dinner given by a Dublin Orangeman, when politics ran high, and Bushe was suspected of holding pro-Catholic opinions, the host indulged so freely that he fell under the table. The Duke of Richmond, who then was Viceroy, picked him up and replaced him in the chair. "My Lord Duke," said Bushe, "though you say I am attached to the Catholics, at all events I never assisted *at the elevation of the Host*." Sir Robert Peel, who was present, related this *bon-mot*. One of Bushe's relations, who rarely indulged in any ablutions, complained of a sore throat. "Fill a pail with hot water, until it reach your knees; then take a pint of oatmeal, and scrub your legs with it for quarter of an hour," was what Bushe recommended as a remedy. "Why, hang it! man," said the other, "that's *washing one's feet*."—"I admit, my dear fellow," replied Bushe, gravely, "it is liable to *that* objection."—M.

† Standish O'Grady, born in 1766, called to the bar in 1787, appointed Attorney-General for Ireland in 1803, and made Chief Baron of the Irish Exchequer, which office he held until 1831, when he was created Viscount Guillemore and Baron O'Grady, in the peerage of Ireland. He died April 21, 1840, aged seventy-four. He was a man of shrewd and caustic wit, a good lawyer, and a social companion. He was very proud of his family, which was one of the oldest in Ireland.—M.

was said, though I think unjustly, upon the ambitious cupidity of his pretensions. The right of nomination was made the subject of legal proceedings by the Crown; and the Attorney-General, Mr. Saurin, thought proper to controvert the claims of the Chief Baron in the shape of a *quo warranto*, which was considered a harsh and vexatious course by the friends of the learned Judge, in order to ascertain the naked question of right. The latter secured Mr. Plunket as his advocate. He had been his early friend, and had contributed, it was said, to raise him to the place of Solicitor when he was himself appointed to that of Attorney-General, and had lived with him upon terms of the most familiar intercourse. It was stated—but I can not answer for the truth of the general report—that he sent him a fee of three hundred pounds, which Mr. Plunket returned, but which the Chief Baron's knowledge of human nature (and no man is more deeply read in it) insisted upon his acceptance—partly, perhaps, because he did not wish to be encumbered with an unremunerated obligation, and no doubt because he was convinced, as every lawyer is by his professional experience, that the greatest talents stand in need of a pecuniary excitation, and that the emotions of friendship must be stimulated by that sense of duty which is imposed by the actual perception of gold.\* I am sure that Mr. Plunket would have strained his mind to the utmost pitch, without this additional incentive, upon behalf of his learned friend; but still the Chief Baron exhibited his accustomed sagacity, in insisting upon the payment of a fee.

This was a great cause. The best talents at the bar were arrayed upon both sides. The issue was one of the highest importance, and to which the legislature looked forward with anxiety. The character of one of the chief Judges of the land was in some degree at stake, as well as the claims which he had so enterprisingly advanced; and every circumstance conspired to impart an interest to the proceedings, which does not

\* It is recorded of the eminent Dr. Radcliffe, founder of the library at Oxford which bears his name, that when he felt unwell he used always to take a guinea out of one pocket and deposite it in another (as a fee), before he would feel his own pulse and prescribe for himself.—M.



frequently arise. Mr. Saurin stated the case for the Crown with his usual solemnity and deliberation, and with that accuracy and simplicity which render him so valuable an advocate in a court of equity. He was followed by Mr. Plunket, who entered warmly into the feelings of his client, and thought that an unfair mode of proceeding had been adopted in his regard. He exhibited in his reply that fierce spirit of sarcasm which he has not yet fully displayed in the House of Commons, though it is one of the principal ingredients in his eloquence. His metaphors are generally sneers, and his flowers of speech are the aconite in full blow. He did not omit the opportunity of falling upon his political antagonist, in whom he left many a scar, which, though half-healed, are visible to the present day. His oration was as much a satire as an argument, and exhibited in their perfection the various attributes of his mind.

As for Bushe, who had to reply, his oratorical ambition was in all probability powerfully excited by the sentiment of emulation, and he exerted all the resources of his intellect in the contest. His speech was a masterpiece; and in the general opinion, in those parts of it which principally consisted of declamatory vituperation, he won the palm from his competitor. He was pure, lofty, dignified; and generously impassioned. If his reasoning was not so subtile and condensed, it was more guileless and persuasive, and his delivery far more impressive and of a higher and more commanding tone. A very accurate and cold-blooded observer would have perceived, perhaps, in the speech of Mr. Plunket, a deeper current of thought and a more vigorous and comprehensive intellect: but the great proportion of a large assembly would have preferred the eloquence of Bushe. The true value of it can not be justly estimated by any particular quotations, as the chief merit of all his speeches consists in the unity and proportion of the whole, rather than the beauty and perfection of the details.\*

The great reputation obtained by Mr. Plunket in the House of Commons, and which has given him a sway so much more important, and a station so much more valuable than any pro-

\* Brougham said of Bushe's five hours' speech in the Trimbleston cause, that the narrative of Livy himself did not surpass that great effort. — M.

fessional elevation, no matter how exalted, can bestow, must have often excited in the mind of Mr. Bushe, as well as in his admirers, a feeling of regret that he did not offer himself as a candidate for a seat in the Imperial Parliament. It is the opinion of all those who have had the opportunity of hearing Mr. Bushe, that he would have made a very great figure in the English House of Commons; and for the purpose of enabling those who have not heard him to form an estimate of the likelihood of his success in that assembly, and of the frame and character of his eloquence, a general delineation of this accomplished advocate may not be inappropriate.

The first circumstance which offers itself to the mind of any man, who recalls the recollection of Bushe, in order to furnish a description of his rhetorical attributes, is his delivery. In bringing the remembrance of other speakers of eminence to my contemplation, their several faculties and endowments present themselves in a different order, according to the proportions of excellence to each other which they respectively bear. In thinking, for example, of Mr. Fox, the torrent of his vehement and overwhelming logic is first before me. . . . If I should pass to his celebrated antagonist, I repose upon the majesty of his amplification. The wit of Sheridan,\* the bla-

\* Richard Brinsley Sheridan, born at Dublin in 1751, died in London, July 7, 1816. He was eminently distinguished, as a wit, boon-companion, orator, politician, and dramatist, at a time when eminent men were abundant. He was the friend of Fox, and long the intimate of the Prince of Wales. Habits of improvidence and extravagance made him constantly in difficulties. Intemperate habits ruined his health, and he died, broken in spirit, and in great want. His wit and eloquence were remarkable. Having stated that he never spoke well until after he had drank a couple of bottles of port, Father O'Leary said "this was like a porter; he could not get on without a *load on his head*." When he wrote, he always drank. "A glass of wine," he used to say, "would encourage the bright thought to come: and then it was right to take another to reward it for coming." — *Moore's Life of Sheridan*, although naturally apologetic for its subject, is a brilliant record of a brilliant career. Byron's opinion of Sheridan, hastily thrown off in conversation, was this: "Whatever Sheridan has done or chosen to do has been *par excellence*, always the *best* of its kind. He has written the *best* comedy (*School for Scandal*), the *best* opera (the *Duenna*—in my mind far better than that St. Giles's lampoon, *The Beggar's Opera*), the *best* farce (*The Critic*—it is only too good for an after-piece), and the *best* address (*Monologue on Garrick*), and to crown all, delivered the *very*

zing imagination and the fantastic drollery of Curran, the forensic and simple vigor of Erskine,\* and the rapid, versatile,

*best* oration (the famous Reform Speech), ever conceived or heard in this country." When Sheridan heard this compliment, shortly before his death, he burst into tears.—Moore's own tribute of the same date was less complimentary. In his "Two-Penny Post-Bag," describing a fashionable dinner in London, he said:—

"The *brains* were near Sherry, and once had been fine,  
But, of late, they had lain so long soaking in wine,  
That, though we, from courtesy, still choose to call  
These brains very fine, they were no brains at all."

Compare this, also, with Byron's Monody in which he says that—

"Nature formed but one such man,  
And broke the die, in moulding Sheridan,"

and Moore's own later mention of him as—

"The pride of the palace, the bower, and the hall,  
The orator—dramatist—minstrel—who ran  
Through each mode of the lyre, and was master of all."—M.

\* Thomas Erskine, third son of the Earl of Buchan, a Scottish peer, was born in 1750. After serving in the navy and the army he went to the bar in 1778. Five years after (which was unusually rapid) he was made King's Counsel—a rank which advances the *status* of him who receives it. In the same year he entered Parliament. As an advocate (for he never was much of a lawyer) he obtained great practice and much eminence. In politics he sided with Fox, and thus became intimate with the Prince of Wales, who made him his Attorney-General—a post which he lost on undertaking the defence of Thomas Paine, in 1792, when prosecuted for publishing "The Rights of Man." His subsequent defence of Hardy, Horne Tooke, and others, charged with high treason, and his vindication of the rights of the subject and the liberty of the press, made him extremely popular. His pamphlet on the War with France, ran through forty-eight editions, owing to his name alone, for it was not well written. In 1802, he resumed his official connection with the Prince of Wales, and, in 1806, on Pitt's death, was created Lord Erskine and made Lord Chancellor, but had to resign in 1807, when the ministry broke up. He obtained the usual retiring pension of four thousand pounds sterling a year (now five thousand pounds sterling), which is considered a right in England, where a lawyer can not go back to practice at the bar after having filled the office of judge. He soon sank into obscurity, and became involved in debt. Lord Erskine died in 1823. He had no success in Parliament, where, for the most part, barristers accustomed to speak to the array of judge, jury, and counsel, resemble the man spoken of by Locke, in his chapter on the association of ideas, who having learned to dance in a room where his trunk lay, could never dance afterward where that trunk was not present to witness his agility. Erskine was so fond of talking of himself that he was nick-named and caricatured as "Counsellor



and incessant intensity, of Plunket—are the first associations which connect themselves with their respective names. But there is no one peculiar faculty of mind which suggests itself in the first instance as the characteristic of Mr. Bushe, and which presses into the van of his qualifications as a public speaker. The corporeal image of the man himself is brought at once into the memory. I do not think of any one distinguishing attribute in the shape of a single intellectual abstraction—it is a picture that I have before me.

There is a certain rhetorical heroism in the expression of his countenance, when enlightened and inflamed, which I have not witnessed in the faces of other men. The phrase may, perhaps, appear too extravagant and Irish; but those who have his physiognomy in their recollection, will not think that the word is inapplicable. The complexion is too sanguineous and ruddy, but has no murkiness or impurity in its flush: it is indicative of great fullness, but, at the same time, of great vigor of temperament. The forehead is more lofty than expansive, and suggests itself to be the residence of an elevated rather than of a comprehensive mind. It is not so much “the dome of thought,” as “the palace of the soul.” It has none of the deep furrows and intellectual indentures which are observable in the forehead of Plunket, but is smooth, polished, and marble. The eyes are large, globular, and blue; extremely animated with idea, but without any of that diffusive irradiation which belongs to the expression of genius. They are filled with a serene light, but have not much brilliancy or fire. The mind within them seems, however, to be all activity and life, and to combine a singular mixture of intensity and deliberation. The nose is lightly arched, and with sufficient breadth of the nostrils (which physiognomists consider as a type of eloquence) to furnish the associations of daring and

Ego.”—Once, on a trial of a patent for a shoe-buckle, he exclaimed, “How would my ancestors have looked at this specimen of modern dexterity?” and went on to laud his ancestors. Mingay, on the other side contemptuously remarked that if Erskine’s *sans-culotte* ancestors would have wondered at his shoe-buckle, their astonishment would have been yet greater at—*his shoes and stockings*; the Scotch Highlanders wore neither.—M.

of power, and terminates with a delicacy and chiseled elegance of proportion, in which it is easy to discover the polished irony and refined satire in which he is accustomed to indulge. But the mouth is the most remarkable feature in his countenance : it is endowed with the greatest variety of sentiment, and contains a rare assemblage of oratorical qualities. It is characteristic of force, firmness, and precision, and is at once affable and commanding, proud and kind, tender and impassioned, accurate and vehement, generous and sarcastic, and is capable of the most conciliating softness and the most impetuous ire. Yet there is something artificial about it, from a lurking consciousness of its own expression. Its smile is the great instrument of its effects, but appears to be too systematic : yet it is susceptible of the nicest gradations. It merely flashes and disappears, or, in practised obedience to the will, streams over the whole countenance in a broad and permanent illumination : at one moment it just passes over the lips, and dies at the instant of its birth ; and at another, bursts out into an exuberant and overflowing joyousness, and seems caught, in the fullness of its hilarity, from the face of Comus himself. But it is to satire that it is principally and most effectually applied. It is the glitter of the poisoned sneer that is leveled at the heart.

The man who is gifted with these powers of physiognomy is, naturally enough, almost too prodigal of their use : and a person who watched Mr. Bushe would perceive, that he frequently employed the abundant resources of his countenance instead of the riches of his mind. With him, indeed, a look is often sufficient for all purposes. It

“Conveys a libel in a frown,  
And winks a reputation down.”

There is a gentleman at the Irish bar, Mr. Henry Deane Grady,\* one of whose eyes he has himself designated as “his

\* Henry Deane Grady was a barrister of some celebrity in Ireland. He long had a large income as one of the counsel to the Irish Commissioners of Custom and Excise, and retired on a pension of two thousand pounds sterling a year. He had what O'Connell used to call “a swivel eye,” which he could bring to bear, curiously enough, upon a jury. His wink, it was declared said as much as many a rival's speech. — M.

jury eye;" and, indeed, from his frequent application of its ludicrous qualifications, which the learned gentleman often substitutes in the place of argument, even where argument might be obviously employed, has acquired a sort of professional distortion, of which he appears to be somewhat singularly proud. Mr. Bushe does not, it is true, rely so much upon this species of ocular logic; but even he, with all his good taste, carries it to an extreme. It never amounts to the buffoonery of the old school of Irish barristers, who were addicted to a strange compound of tragedy and farce; but still it is vicious from its excess.

The port and attitude of Mr. Bushe are as well suited to the purposes of impressiveness as his countenance and its expression. His form, indeed, is rather too corpulent and heavy, and if it were not concealed in a great degree by his gown, would be considered ungainly and inelegant. His stature is not above the middle size; but his chest is wide and expansive, and lends to his figure an aspect of sedateness and strength. In describing the ablest of his infernal senate, Milton has particularly mentioned the breadth of his "Atlantean shoulders." The same circumstance is specified by Homer in his picture of Ulysses; and however many speakers of eminence have overcome the disadvantages of a weak and slender configuration, it can not be doubted that we associate with dignity and wisdom an accompaniment of massiveness and power.

His gesture is of the first order. It is finished and rounded with that perfect care, which the orators of antiquity bestowed upon the external graces of eloquence, and is an illustration of the justice of the observation made by the master of them all, that action was not only the chief ingredient, but almost the exclusive constituent, of excellence in his miraculous art. There is unquestionably much of that native elegance about it, which is to the body what fancy and imagination are to the mind, and which no efforts of the most laborious diligence can acquire. But the heightening and additions of deep study are apparent. The most minute particulars are attended to. So far, indeed, has an observance of effect been carried, that, in serious obedience to the ironical precept of the satirist, he



wears a large gold ring, which is frequently and ostentatiously displayed upon his weighty and commanding hand. But it is the voice of this fine speaker which contains the master-spell of his perfections. I have already mentioned its extraordinary attributes, and, indeed, it must be actually heard in order to form any appreciation of its effects.

It must be acknowledged by the admirers of Mr. Bushe, that his delivery constitutes his chief merit as an advocate, for his other powers, however considerable, do not keep pace with it. His style and diction are remarkably conspicuous and clear, but are deficient in depth. He has a remarkable facility in the use of simple and unelaborated expression, and every word drops of its own accord into that part of the sentence to which it most properly belongs. The most accurate ear could not easily detect a single harshness, or one inharmonious concurrence of sounds, in the course of his longest and least premeditated speech. But, at the same time, there is some want of power in his phraseology, which is not either very original or picturesque. He indulges little in his imagination, from a dread, perhaps, of falling into those errors to which his countrymen are so prone, by adventuring upon the heights which overhang them. But I am, at the same time, inclined to suspect that nature has not conferred that faculty in great excellence upon him. An occasional flush gleams for a moment over his thoughts, but it is less the lightning of the imagination, than the warm exhalation of a serene and meteoric fancy.\*

Curran, with all his imperfections, would frequently redeem the obscurity of his language, by a single expression that threw a wide and piercing illumination far around him, and left a track of splendor upon the memory of his audience which was slow to pass away; but, if Bushe has avoided the defects into which the ambition and enthusiasm of Curran

\* Lord Brougham, who did not make Bushe's acquaintance until 1839, when he went to London to give evidence before the Irish Committee in the House of Lords, then formed the very high opinion of him which he expressed in his *Statesmen*. He said, "all that one had heard of the wonderful fascination of his manner, both at the bar and upon the bench, became easily credible to those who heard his evidence."—M.

were accustomed to hurry him, he has not approached him in richness of diction, or in that elevation of thought to which that great speaker had the power of raising his hearers with himself. He was often "led astray," but it was "by light from Heaven." On the other hand, the more level and subdued cast of thinking and of phrase, which have been adopted by Mr. Bushe, are better suited to cases of daily occurrence; and I own that I should prefer him for my advocate, in any transaction which required the art of exposition, and the elucidating quality which is so important in the conduct of ordinary affairs. He has the power of simplifying in the highest degree. He evolves, with a surprising facility, the most intricate facts from the most embarrassing complication, and reduces, in a moment, a chaotic heap of incongruous materials into symmetry and order. In what is called "the narration" in discourses upon rhetoric, his talent is of the first rank. He clarifies and methodises every topic upon which he dwells, and makes the obscurest subject perspicuous and transparent to the dullest mind.

His wit is perfectly gentlemanlike and pure.\* It is not so vehement and sarcastic as that of Plunket, nor does it grope for pearls, like the imagination of Curran, in the midst of foulness and ordure. It is full of smooth mockery and playfulness, and dallies with its victim with a sort of feline elegance and grace. But its gripe is not the less deadly for its procrastination. His wit has more of the qualities of raillery than of imagination. He does not accumulate grotesque images together, or surprise by the distance of the objects between which he discovers an analogy. He has nothing of that spirit of whim which pervaded the oratory of Curran, and made his mind appear at moments like a transmigration of Hogarth. Were a grossly ludicrous similitude to offer itself to him, he would at once discard it as incompatible with that chastised

\* His conversation merited Brougham's eulogy that "nothing could be more delightful." His wit came without effort. Once, when two bishops declared that, in choosing the officers of the Ecclesiastical Board, they must vote for the nominees of the minister, to whom they owed their mitres, Bushe sent a slip to Plunket, "It is he that hath made us and not we ourselves: we are his people, and the sheep of his pasture."—M.

and subjugated ridicule in which alone he permits himself to indulge.

But from this circumstance he draws a considerable advantage. The mirth of Curran was so broad, and the convulsion of laughter, which by his personations (for his delivery often bordered upon a theatrical audacity) he never failed, whenever he thought proper, to produce, disqualified his auditors and himself for the more sober investigations of truth. His transitions, therefore, were frequently too abrupt; and with all his mastery over his art, and that Protean quality by which he passed with an astonishing and almost divine facility into every different modification of style and thought, a just gradation from the extravagance of merriment to the depth of pathetic emotion could not always be preserved. Bushe, on the other hand, never finds it difficult to recover himself. Whenever he deviates from that sobriety which becomes the discussions of a court of justice, he retraces his steps and returns to seriousness again, not only with perfect ease, but without even leaving a perception of the change. His manner is admirably chequered, and the various topics which he employs, enter into each other by such gentle and elegant degrees, that all the parts of his speech bear a just relation, and are as well proportioned as the several limbs of a fine statue to the general composition of the whole. This unity, which in all the arts rests upon the same sound principles, is one of the chief merits of Mr. Bushe as a public speaker.

There is a fine natural vein of generous sentiment running through his oratory. It has often been said that true eloquence could not exist in the absence of good moral qualities. In opposition to this maxim of ethical criticism, the example of some highly-gifted but vicious men has been appealed to; but it must be remembered, in the first place, that most of those whose deviations from good conduct are considered to afford a practical refutation of this tenet (which was laid down by the greatest orator of antiquity) were not engaged in the discussion of private concerns, in which, generally speaking, an appeal to moral feeling is of most frequent occurrence; and in the next place, there can be little doubt, that although a



series of vicious indulgences may have adulterated their natures, they must have been endowed with a large portion of generous instinct. However their moral vision might have been gradually obscured, they could not have been born blind to that sacred light which they knew how to describe so well. Nay, more: I will venture to affirm, that, in their moments of oratorical enthusiasm, they must have been virtuous men.

As the best amongst us fall into occasional error, so in the spirit of lenity to that human nature to which we ourselves belong, we should cherish the hope that there are few indeed so bad, as not in imagination at least to relapse at intervals to better sentiment and a nobler cast of thought. However the fountains of the heart may have been dried and parched up, enough must at least remain to show that there had been a living spring within them. At all events there can be no eloquence without such an imitation of virtue, as to look as beautiful as the original from which the copy is made. Mr. Bushe, I confidently believe, bears the image stamped upon his breast, and has only to feel there, in order to give utterance to those sentiments which give a moral dignity and elevation to his speeches. His whole life, at least, is in keeping with his oratory;\* and any one who heard him would be justly satisfied that

\* Charles Kendal Bushe, born in January, 1767, at Kilmurry (the ancient seat of his family, which he eventually repurchased after the extravagance of his relatives had lost it), entered Trinity College, Dublin, in 1782—the year of Ireland's independence. He soon became one of the most eloquent debaters in the Historical Society, where he had Plunket as a rival. At that time, the gallery of the Irish House of Commons was open to the University students, provided they wore their academic attire. Bushe was a constant attendant in that great school for orators. In 1793, he was called to the bar, and speedily succeeded there. In 1799, he entered Parliament, where he was second only to Plunket in opposing the Union. In 1805, he had reached such a station at the bar, as to justify his being made one of the King's Sergeants, and in the same year, Lord Hardwicke being Viceroy, was appointed Solicitor-General. This was a concession to the liberal cause, for Bushe was known to be friendly to Catholic Emancipation, though, after the Union, he had taken no part in politics. He continued in his office under "All the Talents" Ministry of 1806-'7, and was retained in that office, under successive administrations, until early in 1822, when Saurin, put over his head in 1807, as Attorney-General, waived his claims to the Chief Justiceship, on Downes' retirement, and Bushe was appointed. As a judge, Bushe gave general satisfaction, for more than twenty

he had been listening to a high-minded, amiable, and honorable man.

The following extract from one of his best speeches will illustrate the quality to which I have alluded, as well as furnish a favorable example of the general tone of his eloquence.\* He is describing the forgiveness of a husband; and, as this article has already exceeded the bounds which I had prescribed to myself, I shall conclude with it: "It requires obdurate and habitual vice and practised depravity to overbear the natural workings of the human heart: this unfortunate woman had not strength farther to resist. She had been seduced, she had been depraved, her soul was burdened with a guilty secret; but she was young in crime and true to nature. She could no longer bear the load of her own conscience—she was

years while he held that office. As an advocate at Nisi Prius, few men won more verdicts. He had tact for which Scarlett was eminent, at the English bar, but he also had genius, eloquence, and wit, which Scarlett had not. His manner has already been noticed; John Kemble called him "the most perfect actor off the stage." As a forensic speaker, clearness of statement was his great merit.—Bushe married the sister of Sir Philip Crampton, the Surgeon General of Ireland and father of the present British Minister at Washington. He was offered a peerage and declined it.—In 1842, he retired from the bench, on a pension of three thousand pounds sterling a year. He died, at his son's seat near Dublin, on July 7, 1843.—M.

\* The nobleman was Lord Cloncurry, and his guilty wife, from whom he was divorced, was daughter of General Morgan. Lord Cloncurry was born in August, 1773, and died at Blackrock, near Dublin, October, 1853. He entered early into public affairs, and was mixed up with them for more than half a century. He was educated at Oxford, and joined the United Irishmen, on his return. The Emmetts, Sampson, and O'Connor, were his close friends. He established a branch of the united body in London, was suspected by the Government, arrested, and examined before the Privy Council, when he admitted that he was a member of the society. He was cautioned and discharged, but was again apprehended, committed to the Tower, and detained there for two years. From that time he was a staunch Liberal, and, though a Protestant, the earnest advocate of the Catholic Claims. He was O'Connell's personal friend and admirer—though he did not go quite to the same extent in politics. The Whig Ministry gave him an English Peerage. A few years ago, he published his *Recollections*—full of anecdotes, and written with great clearness. He bequeathed a handsome legacy to the Dublin Library—provided it assume the more national name of the Hibernian Athenæum. Cecil Lawless, his youngest son, avowed himself a Repealer, in 1846, when he was made member for Clonmel.—M.

overpowered by the generosity of an injured husband, more keen than any reproaches—she was incapacitated from any further dissimulation; she flung herself at his feet. ‘I am unworthy,’ she exclaimed, ‘of such tenderness and such goodness—it is too late—the villain has ruined me and dishonored you: I am guilty.’—Gentlemen, I told you I should confine myself to facts; I have scarcely made an observation. I will not affront my client’s case, nor your feelings, nor my own, by common-placing upon the topic of the plaintiff’s sufferings. You are Christians, men; your hearts must describe for me; I can not—I affect not humility in saying that I can not—no advocate can;—as I told you, your hearts must be the advocates. Conceive this unhappy nobleman in the bloom of life, surrounded with every comfort, exalted with high honors and distinctions, enjoying great property, the proud proprietor, a few hours before, of what he thought an innocent and an amiable woman, the happy father of children whom he loved, and loved the more as the children of a wife whom he adored—precipitated in one hour into an abyss of misery which no language can represent, loathing his rank, despising his wealth, cursing the youth and health that promised nothing but the protraction of a wretched existence, looking round upon every worldly object with disgust and despair, and finding in this complicated wo no principle of consolation, except the consciousness of not having deserved it. Smote to the earth this unhappy man forgot not his character;—he raised the guilty and lost penitent from his feet; he left her punishment to her conscience and to Heaven; her pardon he reserved to himself. The tenderness and generosity of his nature prompted him to instant mercy—he forgave her—he prayed to God to forgive her; he told her that she should be restored to the protection of her father; that until then her secret should be preserved and her feelings respected, and that her fall from honor should be as easy as it might; but there was a forgiveness for which she supplicated, and which he sternly refused; he refused that forgiveness which implies the meanness of the person who dispenses it, and which renders the clemency valueless because it makes the man despicable; he refused to take back to his



arms the tainted and faithless woman who had betrayed him; he refused to expose himself to the scorn of the world and his own contempt;—he submitted to misery; he could not brook dishonor.”\*

\* Since the above article was written [it was published in October, 1822], Mr. Bushe has been raised to the office of Chief Justice of the King's Bench, in consequence of the *resignation* of Mr. Downes, who has at last proved himself possessed of the Christian virtue which Mr. Bushe used to say was the only one he wanted.

## WILLIAM SAURIN.

MR. SAURIN is the son of a Presbyterian clergyman, who followed the duties of his pious but humble calling in the north of Ireland. His grandfather was a French Protestant, who, after the revocation of the edict of Nantz, sought an asylum in Ireland. He is said to have belonged to the family of the celebrated preacher of his name.\* Mr. Saurin was educated in the University of Dublin. It does not appear that he was distinguished by any signal proficiency, either in literature or in science. A collegiate reputation is not a necessary precursor to professional success. He was called to the bar in the year 1780. His progress was slow, and for thirteen years he remained almost unknown. Conscious of his secret merits, he was not disheartened, and employed that interval in accumulating the stores of legal knowledge. He had few qualities, indeed, which were calculated to bring him into instantaneous notice. He wrought his way with an obscure diligence, and, indeed, it was necessary that he should attain the light by a long process of exfodation.

To this day, there is too frequent an exhibition of boisterous ability at the Irish bar; but in the olden time, the qualifi-

\* William Saurin, born in 1757, was called to the Irish bar in 1780, received a patent of precedence (immediately after the Prime Sergeant, Attorney and Solicitor General) in July, 1798, was made Attorney-General in May, 1807, and retained that office until January, 1822, when Mr. Plunket succeeded him. It was expected, from his high attainments, and the return of his party to office, that he would have succeeded Sir Anthony Hart, as Chancellor, in 1830. Mr. Saurin, although a strong political partisan, had many personal friends, even among his opponents. His honor, honesty, and ability, were unimpeached. He died in Dublin, in February, 1839, in his eighty-third year.—M.

cations of a lawyer were measured in a great degree by his powers of vociferation. Mr. Saurin was imperfectly versed in the stentorian logic which prevailed in the roar of Irish *nisi prius*; neither had he the matchless imperturbability of front, to which the late Lord Clonmel\* was indebted for his brazen

\* John Scott, who eventually became Earl of Clonmel, Chief-Justice of Ireland, was born in June, 1739. His parents were in a very humble rank of life. While at school, he rendered some small service to young (afterward Lord) Carleton, whose father went to the expense of sending him to college, and of his call to the Irish bar. He speedily rose to eminence, and entered the Irish Parliament on the recommendation of Lord Lifford, then Chancellor. In 1774 he was made Solicitor, and in 1777 Attorney-General, which he remained until 1782. He was made Chief-Justice of the King's Bench in 1784—with which office he also held the rich sinecure of Clerk of the Pleas in the Court of Exchequer—and was created an Irish peer, as Baron Erlsfort. In 1789, he was made Viscount Clonmel, and was further advanced to an Earldom in 1793. He died in May, 1798, leaving a fortune of twenty-two thousand pounds sterling a year.—This man, whose talents were great, may be said to have got on by sheer impudence and bullying. He knew the world well, and how to play his cards in it. Where argument would not succeed, he endeavored to defeat his opponent by duelling. Among others, he fought with Curran. He was master of sarcasm and ridicule, and unscrupulous in their use. In private life, he was amiable, witty, and agreeable; full of anecdote, indelicate and coarse, but amusing. On the bench he was overbearing, particularly to Curran, his old opponent. Having publicly insulted Mr. Hackett, one of their body, the bar held a meeting, at which they resolved, with only one dissentient voice, “that until his Lordship publicly apologized, no barrister would either take a brief, appear in the King's Bench, or sign any pleadings for that Court.” Accordingly, when the Judges sat, neither counsel nor attorneys were to be seen. The result was, that the Chief-Justice, Lord Clonmel, published an apology in the newspapers, which was adroitly dated as if written on the evening of the offence, and *before* the meeting of the bar, therefore voluntary. Some time before he died, a report of his illness got out. “Do you believe it?” said some one to Curran. The reply was, “I believe that he is scoundrel enough to live or die, *just as it suits his own convenience.*” His personal appearance was remarkable. He had an immense hanging pair of cheeks—vulgarly called *jowls*—and a huge treble chin, to correspond. Looking back, toward the close of his political career, as behooves all men to do as they pass into the shadows of the vale of life, Lord Clonmel is said to have remarked, “As to myself, if I were to begin life again, I would rather be a chimney-sweeper than connected with the Irish Government.” Two of Lord Clonmel's maxims are worthy of being remembered. One was, “Whatever may be done in the course of the week, always do on Monday morning.” The other, which he gave as applicable to married life, was—“Never do anything for *peace-sake*: if you do, you buy all



coronet; but his substantial deserts were sure to appear at last. If he could not fly, he had the strength and the tenacity requisite to climb. His rivals were engaged in the pursuit of political distinction and oratorical renown; all his labors, as well as his predilections, were confined to his profession. While others were indulging in legislative meditations, he was buried in the common law. An acute observer would have seen in his unostentatious assiduity the omen of a tardy but secure success. A splendid intellect will, in all likelihood, ascend to permanent eminence, but the odds of good fortune are in favor of the less conspicuous faculties.

Plunket and Saurin have risen to an equality in professional distinction; but, when they both commenced their career, upon a sober calculation, the chances would have been found, I think, upon the side of the latter. Like the slow camel and the Arabian courser, both may be fitted to the desert; and, although the more aspiring and fleetier spirit may traverse in a shorter period the waste of hardships and discouragement which lies between it and success, while, with all its swiftness and alacrity, it requires an occasional relief from some external source of refreshment and of hope: yet, bearing its restoratives in itself, the more slow and persevering mind pursues its progress with an unabated constancy, and often leaves its more rapid but less enduring competitor drooping far behind, and exhausted by the labors of its desolate and arid course.

After many years of disappointment, perhaps, but not of despondency, Mr. Saurin's name began to be whispered in the Hall. The little business with which he had been intrusted was discharged with such efficiency, that he gradually acquired a reputation for practical utility among the attorneys of the north. Many traits of the Scotch character are observable in the Presbyterian colony which was established in that part of Ireland; and their mutuality of support is among the honorable peculiarities which mark their origin from that patriotic and self-sustaining people. They may be said to advance un-

future tranquillity only by concession." When asked if this last were his own rule of practice, he confessed that it was not, as a philosopher had an easier life of it than a soldier!—M.

der a testudo. It is remarked at the Irish bar that a northern attorney seldom employs a southern advocate. Mr. Saurin, though descended from a Gallic progenitor, had, I believe, some auspicious mixture of Caledonian blood (with a French face, he has a good deal of the Scotchman in his character); and that circumstance, together with the locality of his birth, gave him claims to the patronage of the attorneys of his circuit. Those arbiters of fortune recognised his merits. It was soon perceived by these sagacious persons that a good argument is more valuable than a flower of speech, and that the lawyer who nonsuits the plaintiff is as efficacious as the advocate who draws tears from the jury.

Mr. Saurin's habits of despatch were also a signal recommendation. To this day, under a pressure of various occupancy, he is distinguished for a regularity and promptitude, which are not often to be found among the attributes of the leading members of the Irish Bar. Most, indeed, of their more eminent advocates are "illustrious diners-out." It is provoking to see the fortunes of men hanging in miserable suspense upon their convivial procrastinations. Mr. Saurin still presents an exemplary contrast to these dilatory habits; and it is greatly creditable to him that he should persevere, from a sense of duty in a practice which was originally adopted as a means of success.

The first occasion on which he appears to have grown into general notice, was afforded at a contested election. At that period, which was about sixteen years after he had been called to the bar, a lawyer at an Irish election was almost a gladiator by profession; his pistols were the chief implements of reasoning to which he thought it necessary to resort. "Ratio ultima," the motto which the great Frederick caused to be engraven upon his cannon,\* would not have been an inappro-

\* George III. presented "the Gréat Lord Clive" (as he is called, to distinguish him from the small-minded inheritors of his title) with one of the cannon which had been captured, by Lord C., in the Indian wars. This piece of ordnance, which remains at Powis Castle, in Wales (the seat of the Clive family), has engraven on it an inscription, stating the donor's name, but the sentence "Ultima ratio regum" (the last argument of Kings) is certainly a curious motto on a royal gift. — M.

priate designation of the conclusive arguments which were then so much in use in Hibernian dialectics. I am not aware, that Mr. Saurin was ever accounted an eminent professor in this school of logic: upon this occasion, however, he distinguished himself by qualifications very distinct from the barbarous accomplishments which bring intellect and dullness to such a disastrous level. His extensive and applicable knowledge, his dispassionate perspicuity, and minute precision, won him a concurrence of applause. He became known upon his circuit, and his fame soon after extended itself to the metropolis. His progress was as swiftly accelerated as it had previously been slow: every occasion on which he was employed furnished a new vent to his accumulated information. He was at length fairly launched; and when once detached from the heavy incumbrances in which he had been involved, he made a rapid and conspicuous way; and it was soon perceived that he could carry more sail than gilded galliots which had started upon the full flood of popularity before him. He soon passed them by, and rode at last in that security which most of them were never destined to attain.

In the year 1798, Mr. Saurin was at the head of his profession, and was not only eminent for his talents, but added to their influence the weight of a high moral estimation. The political disasters of the country furnished evidence of the high respect in which he was held by the members of his own body. The Rebellion broke out, and the genius of loyalty martialized the various classes of the community. The good citizens of Dublin were submitted to a somewhat fantastic metamorphosis: the Gilpins of the metropolis, to the delighted wonder of their wives and daughters, were travestied into scarlet, and strutted, in grim importance and ferocious security, in the uneasy accoutrements of a bloodless warfare.

The love of glory became contagious, and the attorneys, solicitors, and six-clerks, felt the intense novelty of its charms. The Bar could not fail to participate in the ecstasy of patriotism: the boast of Cicero became inverted in this access of forensic soldiership, and every Drances, "loud in debate and bold in peaceful council," was suddenly transformed into a



warrior. The "toged counsel" exhibited a spectacle at once ludicrous and lamentable; Justice was stripped of her august ceremony and her reverend forms, and joining in this grand political masquerade, attired herself in the garb, and feebly imitated the aspect of Bellona. The ordinary business of the courts of law was discharged by barristers in regimentals; the plume nodded over the green spectacle—the bag was transmuted in the cartridge-pouch—the flowing and full-bottomed wig was exchanged for the casque; the chest, which years of study had bent into a professional stoop, was straightened in a stiff imprisonment of red; the flexible neck, which had been stretched in the distension of vituperative harangue, was enclosed in a high and rigid collar. The disputations and dingy features of every minute and withered sophist were swollen into an unnatural bigness and burliness of look; the strut of the mercenary Hessian,\* who realized the *beau ideal* of martial ferocity, was mimicked in the slouching gait which had been acquired by years of unoccupied perambulation in the Hall; limbs, habituated to yielding silk, were locked in buff; the *reveillé* superseded the shrill voice of the crier—the disquisitions of pleaders were "horribly stuffed with epithets of war;" the bayonet lay beside the pen, and the musket was collateral to the brief.

Yet, with all this innovation upon their ordinary habits, the Bar could not pass all at once into a total desuetude of their more natural tendencies, and exhibited a relapse into their professional predilections in the choice of their leader. The athletic nobleness of figure for which Mr. Magrath,† for in-

\* The Hessians were troops from Germany, brought into Ireland with some Scotch fencible regiments, in 1798—probably because the Government doubted whether the regular troops, half of whom were Irish, would fight against their countrymen in the field. A story is told of one of the "rebels" who killed a couple of Hessians, and was putting the contents of their pockets into his own. A friend of his saw the conquest, and prayed hard to have one of the captures. "No," said the conqueror, "*go and kill a Hessian for yourself!*" The saying has passed into a proverb in Ireland.—M.

† Counsellor Magrath rejoiced in such longitudinal proportions, that he was called the mathematical definition, "Length without breadth." As he is several times mentioned in these sketches, and always with reference to his inches,

stance, is conspicuous, did not obtain their suffrages: a grenadier proportion of fame, and a physical pre-eminence of height, were not the merits which decided their preference; they chose Mr. Saurin for his intellectual stature; and in selecting a gentleman, in whom I am at a loss to discover one glance of the "*coup d'œil militaire*," and whose aspect is among the most unsoldierlike I have ever witnessed, they offered him an honorable testimony of the great esteem in which he was held by his profession. He was thus, in some degree, recognised as the head of the body to which he belonged.

His conduct, as chief of the lawyer's corps, was patriotic and discreet. He manifested none of those religious antipathies by which he has been since unhappily distinguished; he had no share, either in the infliction of, or the equivalent connivance at that system of inquisitorial excruciation, which, on whosoever head the guilt ought to lie, did unquestionably exist.\* His hands do not smell of blood; and though a series of unhappy incidents has since thrown him into the arms of the Orange faction, to which he has been rather driven by the rash rancor of his antagonists, than allured through the genuine tendencies of his nature, in that period of civil commotion he discountenanced the excesses of the party who now claim him as their own. With all his present Toryism, he appears to have been a Whig; and the republican tinge of his opinions was brought out in the great event which succeeded the Rebellion, and to which the government was aware that it would inevitably lead. If they did not kindle, they allowed the fire to rage on; and they thought, and perhaps with justice, that it would furnish a lurid light by which the rents and chasms in the ruinous and ill-constructed fabric of the Irish legislature would be more widely exposed. To repair such a crazy and rotten building, many think, was impossible. It was

it is probable that Sheil (who was of small stature) envied him not a little. It was to him that Tom Moore, who was quite a minikin, put the question, as he looked up at him, "Magrath, it is fine weather here below—how is it up there aloft with you?"—M.

\* Mr. Saurin, during the rebellion, has been seen to strike a drummer of his corps for wearing an Orange cockade.

necessary that it should be thrown down\*—but the name of country (and there is a charm even in a name) has been buried in the fall.

The Union was proposed, and Mr. Saurin threw himself into an indignant opposition to the measure, which he considered fatal to Ireland. He called the Bar together; and upon his motion, a resolution was passed by a great majority, protesting against the merging of the country in the Imperial amalgamation. He was elected a member of the Irish House of Commons, and his appearance in that profligate convention was hailed by Mr. Grattan, who set the highest value upon his accession to the national cause.

Of eloquence there was already a redundant supply. Genius abounded in the ranks of the patriots—they were ardent, devoted, and inspired. Mr. Saurin reinforced them with his more Spartan qualities. Grave and sincere, regarded as a great constitutional lawyer—the peculiar representative of his own profession—a true, but unimpassioned lover of his country, and as likely to consult her permanent interests as to cherish a romantic attachment to her dignity—he rose in the House of Commons, attended with a great concurrence of impressive circumstance. He addressed himself to great principles, and took his ground upon the broad foundations of legislative right, His more splendid allies rushed among the ranks of their adversaries and dealt their sweeping invective about them; while Saurin, in an iron and somewhat rusty armor, and wielding more massive and ponderous weapons, stood like a sturdy sentinel before the gates of the constitution. Simple and elementary positions were enforced by him with a strenuous conviction of their truth. He denied the right of the legislature to alienate its sacred trust. He insisted that it would amount to a forfeiture of that estate which was derived from, and held under the people in whom the reversion must perpetually remain; that they were bound to consult the will of the majority of the nation, and that the will of that majority was the foundation of all law.

\* It must not be forgotten that, in most of these sketches, Mr. Sheil affected to write as an *English* observer of politics and men.—M.



Generous sentiments, uttered with honest fervency, are important constituents of eloquence; and Mr. Saurin acquired the fame of a distinguished speaker. His language was not flowing or abundant—there was no soaring in his thought, nor majesty in his elocution; but he was clear and manly: there was a plain vigor about him. Thought started through his diction; it wanted roundness and color, but it was muscular and strong. It was not “*pinguitudine nitescens*.” If it were deficient in bloom and fullness, it had not a greasy and plethoric gloss; it derived advantages from the absence of decoration, for its nakedness became the simplicity of primitive truth.

Mr. Saurin obtained a well-merited popularity. His efforts were strenuous and unremitted; but what could they avail? The minister had an easy task to perform: there was, at first, a show of coyness in the prostitute venality of the majority of the House; it only required an increased ardor of solicitation, and a more fervent pressure of the “itching palm.” No man understood the arts of parliamentary seduction better than Lord Castlereagh. He succeeded to the full extent of his undertaking, and raised himself to the highest point of ambition to which a subject can aspire.

But those who had listened to his blandishments, found, in the emptiness of title, and in the baseness of pecuniary reward, an inadequate compensation for the loss of personal consequence which they eventually sustained. In place of the reciprocal advantages which they might have imparted and received, by spending their fortunes in the metropolis of their own country, such among them as are now exported in the capacity of representatives from Ireland are lost in utter insignificance. Instead of occupying the magnificent mansions which are now falling into decay, they are domiciliated in second stories of the lanes and alleys in the vicinity of St. Stephen's. They may be seen every evening at Bellamy's\*

\* In the old House of Commons, which formerly had been a Chapel dedicated to St. Stephen, the refreshment-rooms were kept by Mr. Bellamy, whose family still cater to the requirements of “the inner man,” in the refectory of the new and splendid Palace of Westminster, erected, at a cost of some two millions sterling on the banks of the Thames.—M.

digesting their solitary meal, until the “whipper in” has aroused them to the only purpose for which their existence is recognised; or in the House itself, verifying the prophetic description of Curran, by “sleeping in their collars under the manger of the British minister.”

The case is still worse with the anomalous nobility of the Irish Peer.\* There is a sorry mockery in the title, which is almost a badge, as it is a product, of his disgrace. He bears it as the snail does the painted shell elaborated from its slime. His family are scarcely admitted among the aristocracy, and, when admitted, it is only to be scorned. It requires the nicest exercise of subtle stratagem, and the suppression of every feeling of pride, on the part of an Irish lady, to effect her way into the great patrician *coteries*. The scene which Miss Edgeworth has so admirably described at the saloon of the opera-house, in which the Irish countess solicits the haughty recognition of the English duchess, is of nightly recurrence. Even great talents are not exempted from this spirit of national depreciation. Mr. Grattan himself never enjoyed the full dignity which ought, in every country, to have been an *apanage* to his genius. As to Lord Clare, he died of a broken heart. The Duke of Bedford crushed the plebeian peer with a single tread.† What, then, must be the case with the inferior class of Irish senators; and how must they repine at the sui-

\* By the Act of Union, it was arranged that the Irish Peers should be represented in the Imperial Parliament by twenty-eight, chosen from the whole body, to sit for life. But many of the Irish Peers also have seats in Parliament as possessors of English titles. Thus the Irish Marquis of Downshire has his seat in the Imperial Parliament by virtue of his English earldom of Hillsborough, and the Earl of Bessborough sits for his English barony. No Irish Peer can represent an Irish county or borough, but the restriction does not apply out of Ireland. Thus Viscount Palmerston, an Irish Peer, sits in the House of Commons for the English borough of Tiverton.—M.

† Lord Clare, the first Irishman who ever held the Great Seal of Ireland, was virtual ruler of that country for years. He exhibited his hauteur to the Viceroy, the Duke of Bedford, who—with all the pride of the Russell blood—could not believe, at first, that any man could so insult the representative of royalty. When assured that it was Lord Clare’s wonted manner, the Duke turned his back on him, before the Privy Council, and let business proceed as if Lord Clare had never existed.—M.

cidal act with which, in their madness, they were tempted to annihilate their existence!

I have dwelt upon the results of the Union, as it affected individual importance, because Mr. Saurin appears to have been sensible of them, and to have acted upon that sense. He has never since that event set his foot upon the English shore. He was well aware that he should disappear in the modern Babylon;\* and with the worldly sagacity by which he is characterized, when his country lost her national importance, he preferred to the lacqueying of the English aristocracy the enjoyment of such provincial influence as may be still obtained in Ireland. Mr. Plunket resigned the situation of Attorney-General in 1807. It was offered to Mr. Saurin, who accepted it.

This office is, perhaps, the most powerful in Ireland: it is attended with great patronage, emolument, and authority. The Attorney-General appoints the judges of the land, and nominates to those multitudinous places with which the government has succeeded in subduing the naturally democratic tendencies of the bar. Every measure in any way connected with the administration of justice originates with him. In England the Attorney-General is consulted upon the law. In Ireland he is almost the law itself: he not only approves, but he directs. The personal character of Mr. Saurin gave him an additional sway. He gained a great individual ascendancy over the mind of the Lord Chancellor. In the Castlet Cabinet he was almost supreme; and his authority was the more readily submitted to, as it was exercised without being displayed. He was speedily furnished with much melancholy occasion to put his power into action.

The Catholic Board assumed a burlesque attitude of defiance; the press became every day more violent; the newspapers were tissues of libels, in the legal sense of the word,

\* By a flattering, national self-delusion, London is called "Modern Babylon," and Edinburgh the "Modern Athens."—M.

† In Ireland, "the Castle" of Dublin is the seat of government, as the Palace of St. James is (or was) of England. It is the town-residence of the Lord-Lieutenant, where his Privy Council meet, where he holds his levees and drawing-rooms, where he gives his State-balls, and where the departmental officers of the Executive carry on the business of the state.—M.



for they were envenomed with the most deleterious truth. Prosecutions were instituted and conducted by Mr. Saurin: an ebullition of popular resentment was the result, and reciprocal animosity was engendered out of mutual recrimination. The orators were furious upon one hand, and Mr. Saurin became enraged upon the other. His real character was disclosed in the collision. He was abused, I admit, and vilified. The foulest accusations were emptied, from their aerial abodes, by pamphleteers, upon his head. The authors of the garret discharged their vituperations upon him. It was natural that he should get into bad odor; but wedded as he was to the public interests, he should have borne these aspersions of the popular anger with a more Socratic temper. Unhappily, however, he was infected by this shrewish spirit, and took to scolding. In his public speeches a weak virulence and spite were manifested, which, in such a man, was deeply to be deplored.

Much of the blame ought, perhaps, to attach to those who baited him into fury; and it is not greatly to be regretted, that many of them were gored and tossed in this ferocious contest. The original charges brought against him were unjust; but the vehemence with which they were retorted, as well as repelled, divested them, in some degree, of their calumnious quality, and exemplified their truth. Mr. Saurin should have recollected, that he had at one time given utterance to language nearly as intemperate himself, and had laid down the same principles with a view to a distinct application. He had harangued upon the will of the majority, and he forgot that it was constituted by the Papists. On a sudden he was converted, from a previous neutrality, into the most violent opponent of Roman Catholic Emancipation. I entertain little doubt that his hostility was fully as personal as it was constitutional. There appears to be a great inconsistency between his horror of the Union and of the Catholics. They are as seven to one in the immense population of Ireland; and when they are debased by political disqualification, it can only be justified upon the ground that it promotes the interests of the Empire.

But Mr. Saurin discarded the idea of making a sacrifice

of Ireland to Imperial considerations, when the benefits of the Union were pointed out. I fear, also, that he wants magnanimity, and that his antipathies are influenced in part by his domestic recollections. His ancestors were persecuted in France; but his gratitude to the country in which they found a refuge, should have suppressed any inclination to retaliate upon the religion of the majority of its people. I shall not expatiate upon the various incidents which distinguished this period of forensic turmoil. Suffice it to say, that Mr. Saurin obtained verdicts of condemnation. But his high character and his peace of mind were affected by his ignominious success. He grew into an object of national distaste. His own personal dispositions, which are naturally kind and good, were materially deteriorated. Every man at the bar with liberal opinions on the Catholic question, was regarded by him with dislike. A single popular sentiment was a disqualification for place.

But let me turn from the less favorable points of his character. This censure should be qualified by large commendation. His patronage was confined to his party, but it was honorably exercised. Those whom he advanced were able and honest men. The sources of justice were never vitiated by any unworthy preferences upon his part. Neither did he lavish emolument on his own family. In the list of pensioners the name of Saurin does not often bear attestation to his power. I should add to his other merits his unaffected modesty. He has always been easy, accessible, and simple. He had none of the "morgue aristocratique," nor the least touch of official superciliousness on his brow.

Mr. Saurin, as Attorney-General, may be said to have governed Ireland for fifteen years;\* but, at the moment when he seemed to have taken the firmest stand upon the height of his authority, he was precipitated to the ground. The Grenvilles joined the minister. It was stipulated that Plunket should be restored to his former office. Mr. Saurin was offered the place of Chief-Justice of the King's Bench, which in a fit of splenetic vexation he had the folly to refuse. The new local

\* From 1807 until January, 1822, when Mr. Plunket replaced him.—M.

government did not give him a moment for repentance, and he was thrown at once from the summit of his power. There was not a single intervening circumstance to break his precipitous descent, and he was stunned, if not shattered, in the fall. He might, however, have expected it; he had no political connections to sustain him. He is married, indeed, to a sister of the Marquis of Thomond; but that alliance was a feeble obstacle to the movement of a great party.

His official friends immolated him to exigency, but they would have sacrificed him to convenience. The only man in power, perhaps, who personally lamented his ill usage, was Lord Manners; and even his Lordship was aware, for six months before, of the intended change, and never disclosed it to him in their diurnal walks to the Hall of the Four Courts. This suppression Mr. Saurin afterward resented; but, upon a declaration from his friend that he was influenced by a regard for his feelings, they were reconciled. He did not choose to warn him, at the banquet, of the sword that he saw suspended over his head.

He is now [1823] plain Mr. Saurin again, and he bears this reverse with a great deal of apparent, and some real, fortitude. When he was first deprived of his office, I watched him in the Hall. The public eye was upon him; and the consciousness of general observation in calamity inflicts peculiar pain. The joyous alacrity of Plunket was less a matter of comment than the resigned demeanor of his fallen rival. Richard was as much gazed at as Bolingbroke.\* It was said by most of those who saw him, that he looked as cheerful as ever. In fact, he looked more cheerful, and that appeared to me to give evidence of the constraint which he put upon himself. There was a forced hilarity about him—he wore an alertness and vivacity, which were not made for his temperament. His genuine smile is flexible and easy; but upon this occasion it lingered with a mechanical procrastination upon the lips, which showed that it did not take its origin at the heart.

\* See Shakspeare's *Richard II.*, Act 5, Scene 2, for the description of the contrast between the reception of the unfortunate and unpopular Richard, and that of his successful rival Bolingbroke.—M.



There was also too ready a proffer of the hand to his old friends, who gave him a warm but a silent squeeze.

I thought him a subject for study, and followed him into the Court of Chancery. He discharged his business with more than his accustomed diligence and skill;—but when his part was done, and he bent his head over a huge brief, the pages of which he seemed to turn without a consciousness of their contents, I have heard him heave at intervals a low sigh. When he returned again to the Hall, I have observed him in a moment of professional leisure while he was busied with his own solitary thoughts, and I could perceive a gradual languor stealing over the melancholy mirth which he had been personating before. His figure, too, was bent and depressed, as he walked back to the Court of Chancery; and before he passed through the green curtains which divide it from the Hall, I have seen him pause for an instant and throw a look at the King's Bench. It was momentary, but too full of expression to be casual, and seemed to unite in its despondency a deep sense of the wrong which he had sustained from his friends, and the more painful injury which he had inflicted upon himself.

If Rembrandt were living in our times, he should paint a portrait of Saurin: his countenance and deportment would afford an appropriate subject to the shadowy pencil of that great artist. There should be no gradual melting of colors into each other; there should be no softness of touch, and no nice variety of hue; there should be no sky—no flowers—no drapery—no marble; but a grave and sober-minded man should stand upon the canvass, with the greater proportion of his figure in opacity and shadow, and with a strong line of light breaking through a monastic window upon his corrugated brow. His countenance is less serene than tranquil; it has much deliberate consideration, but little depth or wisdom; its whole expression is peculiarly quiet and subdued. His eye is black and wily, and glitters under the mass of a rugged and shaggy eyebrow. There is a certain sweetness in its glance, somewhat at variance with the general indications of character which are conveyed in his look. His forehead is thoughtful,

but neither bold nor lofty. It is furrowed by long study and recent care.

There is a want of intellectual elevation in his aspect, but he has a cautious shrewdness and a discriminating perspicacity. With much affability and good nature about the mouth, in the play of its minuter expression, a sedate and permanent vindictiveness may readily be found. His features are broad and deeply founded, but they are not blunt; without being destitute of proportion, they are not finished with delicacy or point. His dress is like his manners, perfectly plain and remarkable for its neat propriety. He is wholly free from vulgarity, and quite denuded of accomplishment. He is of the middle size, and his frame, like his mind, is compact and well knit together. There is an intimation of slowness and suspicion in his movements, and the spirit of caution seems to regulate his gait. He has nothing of the Catilinarian walk,\* and it might be readily conjectured that he was not destined for a conspirator.

His whole demeanor bespeaks neither dignity nor meanness. There is no fraud about him; but there is a disguise of his emotions which borders upon guile. His passions are violent, and are rather covered than suppressed: they have little effect upon his exterior—the iron stove scarcely glows with the intensity of its internal fire. He looks altogether a worldly and sagacious man—sly, cunning, and considerate—not ungenerous, but by no means exalted—with some sentiment, and no sensibility: kind in his impulses, and warped by involuntary prejudice: gifted with the power of dissembling his own feelings, rather than of assuming the character of other men: more acute than comprehensive, and subtle than refined: a man of point and of detail: no adventurer either in conduct or speculation: a lover of usage, and an enemy to innovation: perfectly simple and unaffected: one who can bear adversity well, and prosperity still better: a little downcast in ill-fortune, and not at all supercilious in success: something of a republican

\* The passage in which Sallust describes the peculiar walk of the great Conspirator runs thus: "*Igitur color exsanguis, fœdi oculi, citus modo, modo tardus incessus.*"—M.

by nature, but fashioned by circumstances into a tory : moral, but not pious : decent, but not devout : honorable, but not chivalrous : affectionate, but not tender : a man who could go far to serve a friend, and a good way to hurt a foe : and, take him for all in all, a useful and estimable member of society.

I have mentioned his French origin, and it is legibly expressed in his lineaments and hue. In other countries, one national physiognomy prevails through the mass of the people. In every district and in every class we meet with a single character of face. But in Ireland, the imperfect grafting of colonization is easily perceived in the great variety of countenance which is everywhere to be found : the notches are easily discerned upon the original stock.

The Dane of Kildare is known by his erect form, his sand-colored complexion, his blue and independent eye, and the fairness of his rich and flowing hair. The Spaniard in the west, shows among the dominions of Mr. Martin,\* his swarthy features and his black Andalusian eye. A Presbyterian church in the north, exhibits a quadrangular breadth of jawbone, and a shrewd sagacity of look in its calculating and moral congregation, which the best Baillie in Glasgow would not disown. Upon the southern mountain and in the morass, the wild and haggard face of the aboriginal Irishman is thrust upon the traveller, through the aperture in his habitation of mud which pays the double debt of a chimney and a door. His red and strongly-curled hair, his angry and courageous eye, his short

\* Richard Martin, described by Moore as one who  
"rules

The houseless wilds of Connemara,"

was member of Parliament for many years, representing the county of Galway, in which he possessed very large landed estates. He succeeded in passing an act for the prevention and punishment of cruelty to animals, and was a humane but eccentric man. His son, Thomas Martin, succeeded him as owner of the vast Connemara estate—a domain once larger than the territory of many a reigning German Prince. On his death, his daughter, Mrs. Bell Martin, came into possession, but the estates were sold to satisfy greedy money-lenders, and as the amount realized was too small, she came to New York, to earn her living by literature. Her novel of "Julia Howard," reprinted here, was very clever. She had written other works in French. She died in New York, on November 7, 1850, worthy of a better fate than exile and poverty.—M.



and blunted features, thrown at hazard into his countenance, and that fantastic compound of intrepidity and cunning, of daring and of treachery, of generosity and of falsehood, of fierceness and of humor, and of absurdity and genius, which is conveyed in his expression, is not inappropriately discovered in the midst of crags and bogs, and through the medium of smoke. When he descends into the city, this barbarian of art (for he has been made so by the landlord and the law—nature never intended him to be so), presents a singular contrast to the high forehead, the regular features, and pure complexion of the English settler.

To revert to Mr. Saurin (from whom I ought not, perhaps, to have deviated so far), there is still greater distinctness, as should be the case, from their proximity to their source, in the descendants from the French Protestants who obtained an asylum in Ireland. The Huguenot is stamped upon them;\* I can read in their faces, not only the relics of their country, but of their religion. They are not only Frenchmen in color, but Calvinists in expression. They are serious, grave, and almost sombre, and have even a shade of fanaticism diffused over the worldliness by which they are practically characterized. Mr. Saurin is no fanatic; on the contrary, I believe that his only test of the true religion is the law of the land. He does not belong to the "saint party," nor is he known by the sanctimonious avidity by which that pious and rapacious body is distinguished at the Irish bar. Still there is a touch of John Calvin† upon him, and he looks the fac-simile of an old Protestant professor of logic whom I remember to have seen in one of the colleges at Nismes.

I have enlarged upon the figure and aspect of this eminent barrister, because they intimate much of his mind. In his capacity as an advocate in a court of equity, he deserves great

\* The French Catholics gave the nick-name of Huguenots to their Protestant brothers, but the derivation of the word is uncertain. It was not used until the middle of the sixteenth century.—M.

† John Calvin was a Frenchman. Differing from Luther, on many points of doctrine and discipline, he established a schism less tolerant and more severe than simple Protestantism. Unable to convert Servetus, he calmly consigned him to the flames—"for the love of God!"—M.

encomium. He is not a great case-lawyer. He is not like Sergeant Lefroy,\* an ambulatory index of discordant names; he is stored with knowledge: principle is not merely deposited in his memory, but inlaid and tessellated in his mind: it enters into his habitual thinking. No man is better versed in the art of putting facts: he brings with a peculiar felicity and skill the favorable parts of his client's case into prominence, and shows still greater acuteness in suppressing or glossing over whatever may be prejudicial to his interests. He invests the most hopeless, and I will even add, the most dishonest cause, with a most deceitful plausibility; and the total absence of all effort, and the ease and apparent sincerity of his manner, give him at times a superiority even to Plunket himself, who, by the energy into which he is hurried at moments by his more ardent and eloquent temperament, creates a suspicion that it must be a bad cause which requires so much display of power. In hearing the latter, you are perpetually thinking of him and his faculties; in hearing Saurin, you remember nothing but the cause—he disappears in the facts.

Saurin also shows singular tact in the management of the Court. Lord-Chancellor Manners is actually bewildered by Plunket: it is from his Lordship's premises that he argues against him: he entangles him in a net of sophistry wrought out of his own suggestion. This is not very agreeable to human vanity, and Chancellors are men. Saurin, on the other hand, accommodates himself to every view of the Court. He gently and insensibly conducts his Lordship to a conclusion—Plunket precipitates him into it at once. But Lord Manners struggles hard upon the brink, and often escapes from his grasp.

In this faculty of adaptation to the previous opinions and character of the judge whom he addresses, I consider Saurin as perhaps the most useful advocate in the Court of Chancery—at the same time, in reach of thought, variety of attribute, versatility of resource, and power of diction, he is far inferior to his distinguished successor in office. But Plunket is a sena-

\* The subject of a subsequent sketch, and now [1854] Chief-Justice of Ireland.—M.

tor and a statesman, and Saurin is a lawyer—not a mere one, indeed; but the legal faculty is greatly predominant in his mind. His leisure has never been dedicated to the acquisition of scientific knowledge, nor has he sought a relaxation from his severer occupations in the softness of the politer arts. His earliest tastes and predilections were always in coincidence with his profession. Free from all literary addiction, he not only did not listen to, but never heard, the solicitations of the Muse. Men with the strongest passion for higher and more elegant enjoyments have frequently repressed that tendency, from a fear that it might lead them from the pursuit of more substantial objects.

It was not necessary that Mr. Saurin should stop his ears against the voice of the siren—he was born deaf to her enchantments. I believe that this was a sort of good fortune in his nature. Literary accomplishments are often of prejudice, and very seldom of any utility, at the bar. The profession itself may occasionally afford a respite from its more rigid avocations, and invite of its own accord to a temporary deviation from its more dreary pursuits. There are moments in which a familiarity with the great models of eloquence and of high thinking may be converted into use. But a lawyer like Mr. Saurin will think, and wisely perhaps, that the acquisition of the embellishing faculties is seldom attended with a sufficiently frequent opportunity for their display, to compensate for the dangers of the deviation which they require from the straightforward road to professional eminence, and will pursue his progress—like the American traveller, who, in journeying through his vast prairies, passes without regard the fertile landscapes which occasionally lie adjacent to his way, and never turns from his track for the sake of the rich fruits and the refreshing springs of those romantic recesses, which, however delicious they may appear, may bewilder him in a wilderness of sweets, and lead him for ever astray from the final object of his destination.



## HENRY JOY.

MR. JOY, the present Solicitor-General for Ireland [1823], and the anti-papistical associate in office of the chief-advocate of the Roman Catholic claims, Mr. Plunket, is the son of a literary man, who was the editor of a newspaper in Belfast.\* To the violent spirit which characterized the democratic lucubrations of the father, I am inclined to attribute a mistake into which the public have fallen with respect to the juvenile propensities of the son. Mr. Joy is commonly considered to have been addicted to liberal principles in his early life, and has been reproached with having started a patriot. But whiggism is not a family disorder, nor have I been able to discover any grounds for thinking that Mr. Joy was at any time the professor of opinions at variance with his present political creed.

\* Henry Joy, born in 1767, was called to the Irish bar in 1788. He was a good lawyer, as well as an able advocate. He had a very good-humored, insinuating way with witnesses as well as juries, and was happy at retort. In 1827, when Plunket was made Chief-Justice of the Common Pleas, he was succeeded as Attorney-General, by Joy. In 1831, on the retirement of Lord Guillamore (Standish O'Grady), Mr. Joy became Chief Baron of the Exchequer, and held that high office until his death, which took place, near Dublin, on June 5, 1838.—Chief Baron Joy was an impartial and humane administrator of the law. He was repeatedly pressed to enter Parliament, but always declined.—His name presented an obvious subject for Lord Norbury's wit. An attorney, named Hope, prayed his Lordship to wait a few moments for his leading Counsel, Mr. Joy, who was unavoidably detained and would presently attend. His Lordship's very small stock of patience was soon exhausted and he said, "We can wait no longer—

"Although Hope told a flattering tale,  
And said the Joy would soon return,"

and directed the next case to be called on.—M.

Since he was called to the Bar, which was in the year 1788, I can not find a single deviation in his conduct from the path of obvious prudence, which his instinctive tendencies would naturally have led him to adopt, and to which his matured experience must have instructed him to adhere. It required little sagacity to perceive that by allying himself with the religious and aristocratic passions of the prosperous faction, he was much more likely to attain distinction, than by any chivalrous dedication of his abilities to a more noble, but unrequiting cause.

Had he had the misfortune to inherit so sterile and unprofitable a patrimony as the love of Ireland, he might still, perhaps, have risen to eminence and honor. But his success would have been achieved in despite of his principles. By choosing a different course he has succeeded through them. Instead of the difficult and laborious path by which so few have won their way, and which is filled not only with obstacles but thorns, he selected the smoother road, the progress in which is as easy as it is sure—which is thronged by crowds, who, instead of impeding individual advancement, sustain and bear each other on—and which not only leads with more directness to a splendid elevation, but is bordered with many fertile and rich retreats, in which those who are either unable or unwilling to prosecute their journey to the more distant and shining objects to which it conducts at last, are certain of finding an adjacent place of secure and permanent repose. In this inviting path, the weak and the incapable may sit down in ease and luxury, even in the lowest gradations of ascent; while the more vigorous and aspiring receive an impulse from the very ground they tread, and are hurried rapidly along. Mr. Joy could not fail to see the advantages of this accelerating course, nor do I impute much blame to him for having yielded to its allurements. He has, perhaps, acted from that kind of artificial conviction, into which the mind of an honorable man may at last succeed in torturing itself. Conscience, like every other judge, may be misled, and there is no advocate so eloquent as self-interest before that high, but not infallible tribunal.

Whatever were his motives in choosing this judicious though

not very exalted course, Mr. Joy soon distinguished himself by his zeal in his vocation, and became prominent among the staunch Tories at the Bar. He displayed in its fullest force that sort of sophisticated loyalty, of which vehement Protestants are in the habit of making a boastful profession in Ireland, and carried the supererogatory sentiment into practice, even at the convivial meetings of the Bar. A lawyer, who has since risen to considerable distinction, and whose youth was encompassed by calamities, which it required a rare combination of talents and of fortitude to surmount, was selected by Mr. Joy for an early manifestation of his devotedness to the cause, which it required no very high spirit of prophecy to foresee would be ultimately canonized by success. It was upon the motion of Mr. Joy, that the barrister to whom I allude, was expelled, for his republican tendencies, from the Bar-mess of the Northeast Circuit. In recommending so very rigorous a measure, he gave proof of his earnestness and of his good taste. The expulsion of an associate, whom an almost daily intercourse ought to have invested with at least the semblances of friendship, afforded abundant evidence of the sincerity of the emotion with which he was influenced, while his discrimination was approved, by marking a man out for ruin, whose endowments were sufficiently conspicuous to direct the general attention, not only to the peculiar victim that suffered in the sacrifice, but to the priest who presided at the immolation.

This unequivocal exhibition of enthusiastic loyalty was followed by other instances of equally devoted and not more disinterested attachment to the government, and Mr. Joy gradually grew into the favor of those who are the distributors of honor and of emolument at the Bar. He did not, however, abuse the predilections of authority for any mean or inglorious purpose. He is, I believe, unsullied by any sordid passion; and whatever may be his faults, avarice is not among them. He has never been an occupant of any one of the paltry offices at the Bar, to the invention of which the genius of Irish Secretaries is unremittingly applied. Aiming at loftier objects, he preserved a character for independence, by abstaining from solicitation.



It would be tedious to trace his progress through the various stages of professional success which conduct to celebrity at last. A lawyer advances by movements almost imperceptible, from obscurity into note, and from note to fame; and would find it difficult to ascribe with certainty the consummation of his success to any direct or immediate cause. It is by a continued series of meritorious effort and of fortunate event, that eminence is to be attained at the Bar. I pass by the many years of labor in which Mr. Joy, in obedience to the destinies of his profession, must have expended the flower of his life, and lead him directly to the administration of Mr. Saurin. That gentleman, the Coryphæus of the Orange party, formed for Mr. Joy a strong political partiality. He found in Mr. Joy the cardinal virtue, which, in his opinion, is the hinge of all integrity and honor, and in the absence of which the highest genius and the deepest knowledge are wholly without avail. With Mr. Saurin, Orangeism in politics has all the efficacy of charity in religion, and in the person of Mr. Joy, he found many conspicuous qualities set-off by the full lustre of Protestantism. This community of sentiment engendered a virulent sympathy between them.

Mr. Joy was appointed one of the three Sergeants, who take precedence after the Attorney and Solicitor General,\* and

\* In Ireland there are only three Sergeants-at-Law, who are appointed by the Crown, and take precedence, after the Attorney and Solicitor General, over the rest of the bar. In England, any barrister of a certain standing may "assume the *coif*"—that is, wear a wig with a black patch on the crown—provided he pay the usual expenses, amounting to one hundred pounds sterling. He is then called "Mr. Sergeant," sits within the bar, with the Queen's Counsel, and takes precedence with them. There is this disadvantage: as a Sergeant-at-Law can not hold a brief under any one but a Queen's Counsel, or another Sergeant of seniority to himself, he is precluded, in point of fact, from being other than a *leader* in each case he appears in; and it sometimes happens that a barrister in good practice, whose ambition leads him to take the *coif*, soon finds himself briefless—as he can not act as junior, and the attorneys may not think so well of him as to employ him as a leader. In England, every lawyer, previous to taking his seat as a Judge, undergoes the formality and expense of being made a Sergeant-at-Law. When a barrister is of sufficient standing, it is usual to make him "one of Her Majesty's Counsel," which entitles him to sit within the bar, gives him precedence over the rest of the profession, and

enjoy a sort of customary right to promotion to the Bench. Even before they are raised to the judicial station, they occasionally act in lieu of any of the judges, who may happen to be prevented by illness from going the circuit. The malady of a judge, to such an extent of incapacity, is not, however, of very frequent occurrence. A deduction from his salary, to the amount of four hundred pounds, is inflicted as a sort of penalty, in every instance in which he declines attending the assizes, and the expedient has been found peculiarly sanative. It not unfrequently happens that one of the twelve sages,\* who has

entitles him to employment in all cases, civil and criminal, between the Crown and the subject. Out of a bar consisting of about six hundred, in England, between forty and fifty are Queen's Counsel; so that the distinction, which is seldom conferred except for merit, is an important one, as it virtually bestows professional rank on the recipient. A Queen's Counsel may be employed against the Crown, in the courts of law, on paying a fee of ten guineas, and obtaining permission, which is rarely refused, from the Attorney-General. But the Crown has a prior right to his services, if it require them. What is called "a patent of precedence" is sometimes given to Sergeants-at-Law, which places them, according to its date, in possession of all the privileges enjoyed by Queen's Counsel. Mr. Sergeant Wilkins, the ablest advocate now at the English bar, has such a patent. Mr. O'Connell, who was for many years at the head of his profession in Ireland, never was made Counsel to the Crown, owing to his politics being hostile to those of the Lord-Chancellor (Manners), who had the disposal of such honors. Eventually, he received a patent of precedence. In the Ecclesiastical Courts, no barristers are allowed to plead unless they have taken the degree of Doctor of Civil Law, at one of the Universities. In England, politics are seldom regarded now in the disposal of *silk-gowns*. This may require explanation: a Queen's Counsel wears a *silken* and an ordinary barrister a *stuff* gown. The former, on solemn occasions, hides his head in a full-bottomed wig, made of horsehair, and whitened with flour or powdered starch: the latter wears a plain peruke, of the same quality, with two small tails behind. Hence the saying, "The wisdom's in the wig!" There are neither Queen's Counsel, nor Sergeants-at-Law, nor patents of precedence, at the Scottish bar; but they get on very well without them.—M.

\* In Ireland, besides two equity Judges (Lord Chancellor and Master of the Rolls), there are twelve principal Judges, who dispose of criminal and *nisi prius* cases. In Scotland, there are thirteen Judges, of whom, seven are Lords of the Justiciary or chief criminal Court. In England, there are seven equity, and fifteen principal Judges for criminal cases. In England and Ireland, there are also Judges of the Prerogative and Ecclesiastical Courts. There also are county and other local Judges in every county of the United Kingdom, besides Commissioners of Bankruptcy and Insolvency. The largest salary is the Lord

lain almost dead during the term, at the sound of the circuit-trumpet, starts, as it were into a judicial resurrection, and, preceded by the gorgeous procession of bum-bailiffs, bears his cadaverous attestation through the land, to the miraculous agency of the King's commission.

However, it does upon occasion happen that this restorative, powerful as it is, loses its preternatural operation, and one of the Sergeants is called upon to take the place of any of the ermined dignitaries of the Bench, who does not require the certificate of a physician to satisfy the public of the reality of his venerable ailments. This proximity to the Bench gives a Sergeant considerable weight. In raising Mr. Joy to an office which affords so many honorable anticipations, Mr. Saurin must have been sensible that he added to his personal influence, by the elevation of so unqualified an adherent to the party of which he was the head. Mr. Joy had, besides, a high individual rank. Before his promotion his business was considerable, and it afterward rapidly increased. It was princi-

Chancellor's—ten thousand pounds sterling, a year, in England. The average salaries of the other principal Judges are about five thousand pounds sterling a year. The County Court Judges receive about one thousand pounds sterling per annum in England and Ireland, and about eight hundred pounds sterling in Scotland. All the appointments are for life. No Judge is removable by the Crown (except the Lord Chancellor, who retires with the Ministry, of whom he is one), but his removal can take place on an address from both Houses of Parliament, after gross misconduct is proven before them. Every Judge, on retiring, after fifteen years' service, or ill-health, has a life-pension of two thirds of his salary, but the Lord Chancellor, however brief his tenure of office, has a pension of five thousand pounds sterling a year, as, having once quitted the Bar, for the Bench, he can not resume his practice in the Courts of Law. But the *ex-Chancellors*, all of whom are peers, sit in the House of Lords, every Session, hearing appeals from the different law-Courts throughout the whole Empire (Colonies included) and thus render great service, fully the value of their pensions, to the public. The House of Lords is the highest court of judicature in the British Empire, and "the Law Lords," as they are called, chiefly give the decisions—the lay-lords, who are not lawyers, seldom interfering. For the last eighteen years, Lord Brougham, in particular, has devoted his time, energies, and vast knowledge, to the adjudication of Appeals before the House of Lords. It may be remarked, as a curious anomaly, that the Lord Chancellor and any other Judge, whose decisions may be appealed against (if a peer, such as Lord Chief-Justice Campbell, for instance), may hear and vote on such appeals—literally on their own judgments!—M.



pally augmented in Chancery, where pre-audience is of the utmost moment. Lord Manners is disposed to allow too deep a permanence to the earliest impression, and whoever first addresses him has the odds in his favor. The enjoyment of priority swelled the bag of Mr. Joy, which was soon distended into an equality with that of Mr. Bushe.

That great advocate found in Mr. Joy a dangerous competitor. The latter was generally supposed to be more profoundly read, and the abstract principles of equity were traced by sagacious solicitors in the folds and furrows of his brow. The eloquence of Bushe was little appreciated by men who thought, that because they had been delighted they ought not to have been convinced. Joy had a more logical aspect in the eyes of those who conceive that genius affords *primâ facie* evidence against knowledge, and grew into a gradual preference at the Chancery bar. It was no light recommendation to him that he was the *protégé* of Saurin, who could not bring himself to forgive the liberalism of his colleague, and was not unwilling to assist the prosperous competition of his more Protestant *élève*. His strenuous protection gave strong reasons to Bushe to tremble at Joy's pretensions to the highest seat upon the Bench. Bushe had himself declined the office of a puisne judge,\* in the just expectation of attaining to that, which he at present occupies in a manner so useful to the country and so creditable to himself. But he was doomed to the endurance of a long interval of suspense before his present fortunate, and I may even call it accidental, elevation. He had already been sufficiently annoyed by the perverse longevity of Lord Norbury,† and the no less vexatious hesitations of Lord Downes,‡ who tortured him for years with the

\* In England and Ireland, the Chief Justices who preside over the Courts of Queen's Bench, Common Pleas, and Exchequer, are familiarly called *chiefs*. The judges under them are called *puisne* (pronounced puny) from a French adjective signifying younger and inferior. — M.

† Lord Norbury (the subject of a subsequent sketch), who was Chief-Justice of the Common Pleas in Ireland, was seventy-eight years old in 1825 when this was written, and had then been twenty-three years on the Bench. — M.

‡ William Downes, called to the Irish bar in 1766, was made a Judge in 1792. During Emmett's insurrection in 1803, Lord Kilwarden was murdered by the

judicial coquetry of affected resignation. But the appearance of another candidate for the object of his protracted aspirations, had well nigh broken his spirit, and reduced him to despair.

It was at one time quite notorious, that if a vacancy had occurred in the Chief-Justiceship of the King's Bench, Saurin would have exercised his influence in behalf of his favorite ; and it was almost equally certain that his influence would have prevailed. In the general notion, Joy was soon to preside in the room of Downes, and his own demeanor tended not a little to confirm it. The auspices of success were assembled in his aspect, as conspicuously as the omens of disaster were collected in the bearing of Mr. Bushe. The latter exhibited all the most painful symptoms of the malady of procrastinated hope. The natural buoyancy of his spirit sunk under the oppressive and accumulated solicitude that weighed upon him. Conscious of the power of our emotions, and of the readiness with which they break into external results, he was ever on his guard against them. He well knew how speedily misfortune is detected by the vulgar and heartless crowd we call the world, and made every effort to rescue himself from their ignominious commiseration. To escape from a sentiment which is so closely connected with contempt, he wrought himself at moments into a wild and feverish hilarity ; but the care that consumes the heart manifested itself, in spite of all his efforts to conceal it. His bursts of high-wrought joyousness were speedily followed by the depression which usually succeeds to an unnatural in-

mob, who mistook him for Lord Carleton, the Judge who presided at the trial and condemnation of Henry and John Sheares, in 1798. Downes was appointed to succeed Lord Kilwarden, as Chief Justice of the King's Bench. He was raised to the peerage, as Baron Downes (with remainder, on default of lawful male issue, to his cousin, the gallant Sir Ulysses de Burgh, the present peer), on his relinquishing the ermine in March, 1822. He died, at a very advanced age, in March, 1825. Lord Downes was Vice-Chancellor of the University of Dublin. He was a large, unwieldy man, and Curran described him as "a human quagmire,"—on the bench, he was tremulous as if he were composed of calves'-feet jelly. He was at once solemn and ponderous. He had never been married, and his rigid moral conduct caused him to be designated the "virgin judge." Withal, he was patient, a good listener, a pains-taking man, and had a competent share of legal knowledge.—M.

briation of the mind ; his eyes used to be fixed in a heavy and abstracted glare ; his face was suffused with a murky and unwholesome red — melancholy seemed to “bake his blood.” He was vacant when disengaged, and impatient when occupied, and every external circumstance about him attested the workings of solicitude that were going on within. It was truly distressing to see this eloquent, high-minded, and generous man, dying of the ague of expectation, and alternately shivering with wretched disappointment, and inflamed with miserable hope.

Joy, on the other hand, displayed all the characteristics of prosperity, and would have been set down by the most casual observer as a peculiarly successful man. An air of good fortune was spread around him : it breathed from his face, and was diffused over all that he said and did. His eyes twinkled with the pride of authority. His brow assumed by anticipation the solemnity of the judicial cast ; he seemed to rehearse the part of Chief Justice, and to be already half seated on the highest place upon the Bench. But suddenly it was plucked from beneath him. Lord Wellesley arrived\* — Saurin was precipitated from his office. In a paroxysm of distempered magnanimity he disdained to accept the first judicial station ; and Bushe, to his own astonishment, grasped in permanence and security that object of half his life, which had appeared so long to fly from his pursuit, and, just before the instant of its attainment, seemed, like a phantasm, to have receded from his reach for ever. Bushe is now Chief-Justice of the King’s Bench [1823] ; and that he may long continue to preside

\* As Lord-Lieutenant of Ireland. After the visit of George IV., when the Catholics showed a superabundance of “loyalty,” it was resolved to favor them with a more liberal ruler than the late Earl Talbot, who was a decided partisan of “Protestant Ascendency in Church and State.” The Marquis Wellesley was sent over—partly because he was liberal and friendly to the Catholic claims, and partly because he was poor, and the twenty thousand pounds sterling a year salary was an object to him. At the same time, Mr. Saurin, the virtual and intolerant ruler of the country, was dismissed, to be succeeded by Plunket, the eloquent advocate of Emancipation.—Lord Wellesley in Ireland forms the subject of a lively sketch, in this volume, entitled “The Dublin Tab-inet Ball.”—M.



there, is the wish of every man by whom indiscriminate urbanity to the bar, unremitting attention to the duties of his office, and a perfect competence to their discharge — the purest impartiality and a most noble intellect — are held in value.

Notwithstanding that the Bench was withdrawn from Mr. Joy, while he was almost in the attitude of seating himself upon it, he did not fall to the ground. Bushe's promotion left a vacancy in the office of Solicitor-General, and it was tendered to Mr. Joy. This was considered a little singular, as his opinions were well known to be exactly opposite to those of the new Attorney-General, Mr. Plunket. That circumstance, however, so far from being a ground of objection, was, I am inclined to think, a principal motive for submitting the vacant place to his acceptance. It had been resolved to compound all parties together. The more repulsive the ingredients, the better fitted they were for the somewhat empirical process of conciliation, with which Lord Wellesley had undertaken to mix them up together. The government being itself an anomaly—a thing “of shreds and patches”—it was only consistent that the legal department should be equally heterogeneous. To this sagacious project, the conjunction of two persons who differ so widely from each other as Mr. Plunket and Mr. Joy, is to be attributed. The latter was blamed by many of his friends for the promptitude with which he allied himself to the new administration, for he did not affect the coyness which is usually illustrated by a proverbial reference to clerical ambition. He was well aware that if he indulged in the mockery of a refusal, amid the rapid fluctuations of an undecided government, he might endanger the ultimate possession of so valuable an office. He did not put on any virgin reluctances, nor seem “fearful of his wishes,” but embraced the fair opportunity with a genuine and unaffected ardor.

Mr. Joy is justly accounted one of the ablest men at the Irish Bar. In the sense in which eloquence, and especially in Ireland, is generally understood, I do not think that it belongs to him in a very remarkable degree. At times his manner is very strenuous, but energy is by no means the characteristic of his

speaking. I have seen him, upon occasion, appeal to juries with considerable force, and manifest that honest indignation in the reprobation of meanness and of depravity, which is always sure to excite an exalted sentiment in the minds of men. The sincere enforcement of good principle is among the noblest sources of genuine oratory; and he that awakens a more generous love of virtue and lifts us beyond the ordinary sphere of our moral sensibilities, produces the true results of eloquence. This Mr. Joy has not unfrequently accomplished, but his habitual cast of expression and of thought is too much subdued and kept under the vigilant control of a timid and suspicious taste, to be attended with any very signal and shining effects. He deals little in that species of illustration which indicates a daring and adventurous mind; that seeks to deliver its strong, though not always matured, conceptions in bold and lofty phrase. Its products may be frequently imperfect, but a single noble thought that springs full formed from the imagination, compensates for all its abortive offspring. Mr. Joy does not appear to think so, and studiously abstains from the indulgence of that propensity to figurative decoration, which in Ireland is carried to some excess. Nature, I suspect, has been a little niggard in the endowment of his fancy; and if she has not given him wings for a sustained and lofty flight, he is wise in not using any waxen pinions. I have never detected any exaggeration in his speeches, either in notion or in phrase. His language is precise and pure, but so simple as scarcely to deviate from the plainness of ordinary discourse.

It was observed of Lysias that he seldom employed a word which was not in the most common use, but that his language was so measured as to render his style exceedingly melodious and sweet. Mr. Joy very rarely has recourse to an expression which is not perfectly familiar. But he combines the most trivial forms of phrase with so much art together, as to give them a peculiarly rhythmical construction. Upon occasion, however, he throws into a speech some ornamental allusion to his own favorite pursuits. He takes a flower or two from his *hortus siccus*, and flings it carelessly out. But his images are derived from the museum and the cabinet, and not from the

mountain and the field. He is strongly addicted to the study of the more graceful sciences, and versed in shrubs, and birds, and butterflies.

In this respect he stands an honorable exception to most of the eminent members of the Bar, with whom all scientific and literary acquirement is held in a kind of disrepute. Mr. Joy has not neglected those sources of permanent enjoyment, which continue to administer their innocent gratifications, when almost every other is dried up. He has employed his solitary leisure (for he is an old bachelor, and appears to be an inveterate Mr. Oldbuck) in the cultivation of elegant, although, in some instances, fantastic tastes. He is devoted to the loves of the plants, and spends in a well-assorted museum of curiosities many an hour of dalliance with an insect or a shell. It is not unnatural that his mind should be impregnated with his intellectual recreations; and whenever he ventures upon a metaphor, it may readily be traced to some association with his scientific pursuits.

With this rare exception, Mr. Joy may be accounted an unadorned speaker. His chief merit consists in his talent for elucidation and for sneering. He is, indeed, so sensible of his genius for mockery, that he puts it into use wherever the least opportunity is afforded for its display. When it is his object to cover a man with disgrace, he lavishes encomium with a tone and a look that render his envenomed praises more deadly than the fiercest invective. He deals in incessant irony, and sets off his virulent panegyric with a smile of such baleful derision as to furnish a model to a painter for Goëthe's *Metempsychiles*.\* In cross-examination he employs this formidable faculty with singular effect.

Here he shows high excellence. He contemplates the witness with the suppressed delight of an inquisitor, who calmly surveys his victim before he has him on the wheel. He does not drag him to the torture with a ferocious precipitation, and throw him at once into his torments, but with a slow and blandishing suavity tempts and allures him on, and invites him to the point at which he knows that the means of infliction lie

\* *Mephistophiles* ? — M.



in wait. He offers him a soft and downy bed in which the rack is concealed, and when he is laid upon it, even then he does not put out all his resources of agony at once. He affects to caress the victim whom he torments, and it is only after he has brought the whole machinery of torture into action, that his purpose is perfectly revealed; and even then, and when he is in the fullest triumph of exorcuciation, he retains his seeming and systematic gentleness; he affects to wonder at the pain which he applies, and while he is pouring molten lead into the wound, pretends to think it balm.

The habitual irony which Mr. Joy is accustomed to put into such efficient practice, has given an expression to his face which is peculiarly sardonic. Whatever mutations his countenance undergoes, are but varied modifications of a sneer. It exhibits in every aspect a phasis of disdain. Plunket's face sins a little in this regard, but its expression is less contemptuous than harsh. There is in it more of the acidity of ill humor than of the bitterness of scorn. His pride appears to result rather from the sense of his own endowments than from any depreciating reference to those of other men. But the mockery of Mr. Joy is connected with all the odium of comparison:—

“ Et les deux bras croisés, du haut de son esprit,  
Il écoute en pitié tout ce que chacun dit.”

The features upon which this perpetual derision is inlaid, are of a peculiar cast;—they are rough-hewn and unclassical, and dispersed over a square and rectangular visage, without symmetry or arrangement. His mouth is cut broadly, and directly from one jaw to the other, and has neither richness nor curve. There are in his cheeks two deep cavities, which in his younger days might have possibly passed for dimples, hollowed out in the midst of yellow flesh. Here it is that Ridicule seems to have chosen her perpetual residence, for I do not remember to have seen her give way to any more kindly or gentle sentiment. His nose is broad at the root; its nostrils are distended, and it terminates in an ascending point: but it is too short for profile, and lies in a side view almost concealed in the folds of parchment by which it is encompassed.

The eyes are dark, bright, and intellectual, but the lids are shrivelled and pursed up in such a manner, and seemingly by an act of will, as to leave but a small space between their contracted rims for the gleams of vision that are permitted to escape. They seem to insinuate that it is not worth their while to be open, in order to survey the insignificant object on which they may chance to light. The forehead is thoughtful and high, but from the posture of the head, which is thrown back and generally aside, it appropriately surmounts this singular assemblage of features, and lends an important contribution to the sardonic effect of the whole.

His deportment is in keeping with his physiognomy. If the reader will suggest to his imagination the figure of a Mandarin, receiving Lord Amherst\* at the palace at Peking, and with

\* The British Government, always anxious to establish intimate commercial and political relations with China, despatched Lord Macartney, at the head of a special Embassy, in 1792. He and his suite reached China the following year, were received there, with all courtesy as "tribute-bearers," and were promised an audience of the Emperor, provided they would perform the usual prostrations of the person made in the presence of his Majesty by his own subjects. This was declined, but Lord Macartney finally offered to perform the Kou-to (as it is called) if some high officer of state would previously do like homage before a portrait of George III. Lord Macartney and Sir George Staunton actually had the promised audience, each kneeling on one knee as they presented the Emperor with a magnificent gold box, richly adorned with jewels, which contained the King of England's letter, which, with other presents, was well received, and the return of the embassy requested. In 1816, Lord Amherst headed a second embassy, and strongly declined making the required nine prostrations to the Emperor, declaring he would pay him the same homage as he yielded to his own sovereign, and no more—unless a Tartar mandarin of rank would perform the Ko-tou before the portrait of the English ruler. Finally, on the Emperor's declaration that Lord Macartney had Ko-toued on the former occasion, Lord Amherst agreed to do the same—but the Embassy was literally hurried out of the country, to their ships on the coast, before this could be done. A reply to the Royal letter from England pompously intimated that it would not again be necessary to send "a tribute-bearer" from such a distance. The two embassies cost about three hundred and fifty thousand pounds sterling. Napoleon (who was visited at St Helena by Lord Amherst, on his return from China), said he should have complied with the customs of the place, or not have been sent at all, for that what the chief men of a nation practise toward their chief, could not degrade strangers to practise. — M.

contemptuous courtesy proposing to his lordship the ceremony of the Ko-tou, he will form a pretty accurate notion of the bearing, the manners, and the hue of Mr. Joy, his Majesty's Solicitor-General for Ireland. He is extremely polite, but his politeness is as Chinese as his look, and appears to be dictated rather by a sense of what he owes to himself than by any deference to the person who has the misfortune to be its object.

And yet with all this assumption of dignity, Mr. Joy is not precisely dignified. He is in a perpetual effort to sustain his consequence, and arms himself against the least invasion upon his title to respect. Of its legitimacy, however, he does not appear to be completely satisfied. He seems a spy upon his own importance, and keeps watch over the sacred treasure with a most earnest and unremitting vigilance. Accordingly, he is for ever busy with himself. There is nothing abstract and meditative in his aspect, nor does his mind ever wander beyond the immediate localities that surround him. There is "no speculation in his eye;" an intense consciousness pervades all that he says and does. I never yet saw him lost in reverie.

When disengaged from his professional occupations, he stands in the Hall with the same collected manner which he bore in the discharge of his duties to his client, and with his thoughts fastened to the spot. While others are pacing with rapidity along the flags which have worn out so many hopes, Joy remains in stationary stateliness, peering with a sidelong look at the peristreplic panorama that revolves around him. The whole, however, of what is going on is referred to his own individuality; self is the axis of the little world about him, and while he appears scarcely conscious of the presence of a single person in all the crowd by which he is encompassed, he is in reality noting down the slightest glance that may be connected with himself.

There is something so artificial in the demeanor of Mr. Joy, and especially in the authoritativeness which he assumes with the official silk in which he attires his person, that his external appearance gives but little indication of his character. His



dispositions are much more commendable than a disciple of Lavater would be inclined to surmise. I suspect that his *hauteur* is worn from a conviction that the vulgar are most inclined to reverence the man by whom they are most strenuously despised. Upon a view of Mr. Joy, it would be imagined that he would not prove either a very humane or patient judge;\* but it is quite otherwise, and those who have had an opportunity of observing him in a judicial capacity upon circuit, concur in the desire that he should be permanently placed in a situation for which he has already displayed in its transitory occupation so many conspicuous qualities.

\* Chief-Baron Joy was a good judge;—sound in his law, impartial in his judgments, and courteous in his demeanor.—M.

## CALAMITIES OF THE BAR.

Not very long after I had been called to the bar, I one day chanced to observe a person standing beside a pillar in the Hall of the Four Courts, the peculiar wretchedness of whose aspect attracted my notice. I was upon my way to the subterranean chamber where the wigs and gowns of lawyers are kept, and was revolving at the moment the dignity and importance of the station to which I had been raised by my enrolment among the members of the Irish bar. I was interrupted in this interesting meditation by the miserable object upon which my eyes had happened to rest; and, without being a *dilettante* in affliction, I could not help pausing to consider the remarkable specimen of wretchedness that stood before me.

Had the unfortunate man been utterly naked, his condition would not have appeared so pitiable. His raiment served to set his destitution off. A coat, which had once been black, but which appeared to have been steeped in a compound of all rusty hues, hung in rags about him. It was closely pinned at his throat, to conceal the absence of a neckcloth. He was without a vest. A shirt of tattered yellow, which from a time beyond memory had adhered to his withered body, appeared through numerous apertures in his upper garment, and jutted out round that portion of his person where a garb without a name is usually attached. The latter part of his attire, which was conspicuous for a prismatic diversity of color, was fastened with a piece of twine to the extreme button of his upper habiliment, and very incompletely supplied the purpose for which the progenitors of mankind, after their first initiation into knowledge, employed a vegetable veil. Through the inferior regions of

this imperfect integument, there depended a shred or two of that inner garment, which had been long sacred to nastiness, and which the fingers of the laundress never had profaned. His stockings were compounded of ragged worsted and accumulated mire. They covered a pair of fleshless bones, but did not extend to the feet, the squalid nakedness of which was visible through the shoes that hung soaked with wet about them.

He was dripping with rain, and shivering with cold. His figure was shrunken and diminutive. A few gray locks were wildly scattered upon a small and irregularly-shaped head. Despair and famine sat upon his face, which was of the strong Celtic mould, with its features thrown in disorder, and destitute of all symmetry or proportion, but deriving from the passions, by which they were distorted, an expression of ferocious haggardness. His beard was like that which grows upon the dead. The flesh was of a cadaverous complexion. His gray eyes, although laden with rheum, caught a savageness from the eyelids, which were bordered with a jagged rim of diseased and bloody red. A hideous mouth was lined with a row of shattered ebony, and from the instinct of long hunger had acquired an habitual gape for food. The wretched man was speaking vehemently and incoherently to himself. It was a sort of insane jabbering—a mad soliloquy, in which “my Lord” was frequently repeated.

I turned away with a mingled sentiment of disgust and horror, and, endeavoring to release my recollection from the painful image which so frightful an object had left behind, I proceeded to invest myself in my professional trappings: tied a band with precision about my neck; complained, as is the wont with the junior bar, that my wig had not been duly besprinkled with powder, and that its curls were not developed with sufficient amplitude; set it rectilinearly upon my head; and, after casting a look into the glass, and marking the judicial organ in a certain prominence upon my brow, I readjusted the folds of my gown, and reascended the Hall of the Four Courts in a pleasurable state of unqualified contentedness with myself.

I directed my steps to the Court of Chancery, and, having



no better occupation, I determined to follow the example of certain sagacious aspirants to the office of Commissioner of Bankrupts, and to dedicate the day to an experiment in nodding, which I had seen put into practice with effect. There are a set of juvenile gentlemen who have taken for their motto the words of a Scotch ballad, which, upon a recent motion for an injunction, Lord Eldon\* affected not to understand, but which, if he had looked for a moment upon the benches of youthful counsellors before him, while in the act of delivering a judicial aphorism, he would have found interpreted in one of the senses of which they are susceptible, and have discovered a meaning in "We're all a-nodding," of obvious application to the bar. Confident in the flexibility of my neck, and a certain plastic facility of expression, I imagined that I was not without some talent for assentation; and accordingly seated myself in such a place that the eye of my Lord Manners, in seeking refuge from the inquisitorial physiognomy of Mr. Plunket, would probably rest upon me.

The Court began to fill. The young aristocracy of the bar, the sons of Judges, and fifth cousins of members of Parliament, and the whole rising generation of the Kildare-street Club, gradually dropped in. Next appeared, at the inner bar, the more eminent practitioners tottering under their huge bags, upon which many a briefless senior threw a mournful and repining glance. First came Mr. Pennefather,† with his calm

\* Lord-Chancellor Eldon, although born close to the Scottish border, affected not to understand the Scotch dialect and pronunciation. He was once hearing appeals, in the House of Lords, and Mr. Clerk, an eminent Edinburgh lawyer (afterward a Judge, and called Lord Eldin), having said, in his broadest accent, "In plain English, my Lords," was interrupted, half-seriously, by Lord Eldon, with—"In plain Scotch, I suppose you mean?"—"Nae matter," rejoined Clerk, "in plain common sense, my Lord—and that's the same in all languages—ye'll ken if you understand it."—M.

† There were two Irish barristers named Pennefather. Edward, the junior, called to the bar in 1796, was inferior to none as a lawyer and an advocate. He had immense practice; and though compelled, by ill-health, occasionally to retire from labor, attorneys would flock to him with briefs the moment he returned. In this respect he was as fortunate as the late Sir William Follett, of the English bar, and both negatived the commonly-received belief that "when a lawyer leaves his business, his business leaves him." Edward Pennefather

and unruffled forehead, his flushed cheek, and his subtilizing and somewhat over-anxious eye. He was succeeded by Mr. Sergeant Lefroy, who after casting a smile of pious recognition upon a brace of neophytes behind, rolled out a ponderous brief, and reluctantly betook himself to the occupations of this sublunary world. Next came Mr. Blackburne,\* with his smug features, but beaming and wily eye; Mr. Crampton,† with an air of elaborated frankness; Mr. Warren,‡ with an expression of atrabilious honesty; Mr. Saurin, looking as if he had never been Attorney-General; and Mr. Plunket, as if he never could cease to be so. Lastly appeared my Lord Manners, with that strong affinity to the Stuart cast of face, and that fine urbanity of manner, which, united with a sallow face and a meagre figure, makes him seem like the phantom of Charles II.

The Court was crowded, the business of the day was called on; Mr. Prendergast,|| with that depth of registerial intonation which belongs to him, had called on the first cause, when suddenly a cry, or rather an Irish howl, of "My Lord, my Lord," rose from the remote seats of the Court, and made the whole assembly look back. A barrister in a wig and gown was seen clambering from bench to bench, and upsetting all opposition, rolling over some and knocking down others, and uttering in a vehement and repeated ejaculation, "My Lord, my Lord," as he advanced, or rather tumbled over every impediment. At

was offered the office of Lord-Chancellor of Ireland in 1841, when Sugden was in doubt about accepting it, and became Solicitor-General only on a promise that he should have the next Chief-Justiceship vacancy. That was of the Queen's Bench, in which capacity he presided at the O'Connell State-Trials in 1843-'4. He was then seventy years of age, and did not long survive. — Richard Pennefather, called to the bar in 1795, is now (1854) one of the *puisne* Barons of the Exchequer in Ireland. — M.

\* Late Lord-Chancellor of Ireland, in 1852, under the Derby-D'Israeli Ministry, and the subject of a later sketch. — M.

† Now (1854) one of the Judges of the Court of Queen's Bench in Ireland. — M.

‡ Mr. Warren, without any remarkable brilliancy or depth, has obtained high credit and large practice at the Irish bar. He was made a Sergeant-at-Law, and pleaded for the Crown, at the State-Trials of 1843-'4. — M.

|| Registrar of the Irish Court of Chancery under Lord Manners. He has long since passed away. — M.

length he reached the lower bench, where he remained breathless for a moment, overcome by the exertion which he had made to gain that prominent station in the court. The first sensation was one of astonishment; this was succeeded by reiterated laughter, which even the strictness of Chancery etiquette could not restrain. I could not for a moment believe the assurance of my senses, until, looking at him again and again, I became satisfied that this strange barrister (for a barrister it was) was no other than the miserable man whom I had observed in the Hall, and of whom I have given a faint and imperfect picture.

After the roar of ridicule had subsided, the unfortunate gentleman received an intimation from Lord Manners that he should be heard—when he addressed the court in a speech, of the style of delivery of which it is impossible to convey to an English reader any adequate notion, but which ran to the following effect: “It is now, may it please your honorable Lordship, more than forty years, since, with a mournful step and a heavy heart, I followed the remains of your Lordship’s illustrious relative, the Duke of Rutland,\* to the grave.” The

\* Charles Manners, fourth Duke of Rutland, born in 1754, was appointed Lord-Lieutenant of Ireland in 1784, and died, while in office, in October, 1787, at the early age of thirty-three. He was cousin (three removed) to Lord-Chancellor Manners. He was a *bon-vivant*, and a man of pleasure. In the former capacity he was entertained by the Mayor of Cork, and, happening to praise some wine which was making the circuit of the board, was rather astounded at the Mayor’s cool reply: “Well, my Lord Duke, it is good claret, but nothing to be compared with a better quality in my cellar!” This Viceroy it was who, in a convivial moment, “when the wine was in,” insisted on knighting the landlord of the country inn at which he happened to be stopping. The next morning, he endeavored to pass it off as a joke, and, giving the landlord a handful of guineas, said, “Pat, you must not mind what passed last night; ’t was all a joke.” Carefully pocketing the gold, the beknighted landlord made his best bow, and said, “As to that, your Excellency, ’t is all one to me—but *what will Lady O’Shaughnessy say?*” To his dying day, therefore, he continued to be called Sir Patrick O’Shaughnessy. The Duke of Rutland was in the habit of visiting certain houses and persons of not *quite* the purest reputation. In his time, there was a handsome profligate, named Peg Plunket, who was presumed, and not untruly (as all accounts declare), to be very particularly in his Grace’s good graces—whatever these may have been. At the theatre, one evening, this fair and frail one made her appearance, and the wags called out,



moment this sentence had been pronounced, and it was uttered with a barbarous impressiveness, the Chancellor leaned forward, and assumed an aspect of profound attention. The bar immediately composed their features into sympathy with the judicial countenance, and a general expression of compassion pervaded the court.

The extraordinary orator continued: "Yes, my Lord, the unfortunate man who stands before you, did, as a scholar of Trinity College, attend the funeral-procession with which the members of the University of Dublin followed the relics of your noble relative to an untimely tomb. My eyes, my Lord, are now filled by my own calamities, but they were then moistened by that sorrow, which, in common with the whole of the loyal part of the Irish nation (for, my Lord, I am a Protestant), I felt for the loss of your noble and ever-to-be-lamented kinsman." (The bar looked up to Lord Manners, and, perceiving his Lordship's attention still more strongly riveted, preserved their gravity.) "Oh, my Lord, I feel that I am addressing myself to a man who carries a true nobleness of sentiment in every drop of his honorable blood. God Almighty bless your Lordship! you belong, ay, every bit of you, to the noble house of Rutland; and aren't you the uncle of a Duke, and the brother of his Grace the Archbishop of Canterbury?"\*

"But in what cause, Mr. M'Mahon, are you counsel?"

"In my own, my Lord. It is a saying, my Lord, that he

"Ah, Peg! who passed last night with you, Peg?" At that moment the Duke of Rutland, whose family name was Manners, entered the vice-regal box, accompanied by his young and lovely wife. Peg, turning round to her querists, with a sly look at the Duke, exclaimed, "Manners! you blackguards!" The whole audience burst into a shout of laughter, in which the Duke himself could not help joining. History does not record what was *the Duchess's* opinion of the reply, retort, and occasion!—M.

\* Lord Manners was not uncle of a Duke. His father, Lord George Manners, son of the third Duke of Rutland, on succeeding to the estates of his maternal grandfather, Lord Lexington, whose family name was Sutton, assumed that surname. He was only cousin, at some distance, too, from the Duke of Rutland. His elder brother, Charles Manners Sutton, born in 1755, became Archbishop of Canterbury, and died in July, 1828. The Archbishop's eldest son, Speaker of the House of Commons for seventeen years, was created Viscount Canterbury, in 1835.—M.

who is his own counsel, has a madman for his client. But, my Lord, I have no money to fee my brethren. I haven't the *quiddam honorarium*, my Lord; and, if I am mad, it is poverty, and persecution, and the Jesuits, that have made me so. Ay, my Lord, the Jesuits! For who is counsel against me—I don't mean that Popish demagogue Daniel O'Connell, though he was brought up at St. Omer, and bad enough he is too, for abusing your Lordship about the appeals; but I mean that real son of Loyola, Tom —, who was once a practising parson, and is now nothing but a Jesuit in disguise. But let him beware! Bagenal Harvey, who was one of my persecutors, came to an untimely end.”\*

Such was the exordium of Counsellor M'Mahon,† the rest of whose oration was in perfect conformity with the introductory passages from which I have given an extract. But, in order to form any estimate of his eloquence, you should have seen the prodigy itself: the vehemence of his gesture corresponded with the intensity of his emotions. His hands were violently clinched, and furiously dashed against his forehead. His mouth was spattered with discolored foam. His wig, of unpowdered horsehair, was flung off, and, in the variety of frantic attitude which he assumed, his gown was thrown open, and he stood with scarcely any covering but his ragged shirt, in a state of frightful emaciation, before the court.

When this ridiculous but painful scene had concluded, “So much,” I whispered to myself, “for the dignity of the Irish bar!” I confess that I divested myself of my professional trappings, after having witnessed this exhibition of degradation and of misery, with very different feelings from those with

\* Bagenal Harvey, of Bargray Castle, was an Irish barrister, of good fortune, family standing, and talents. He was a United Irishman in 1798, and eventually became Generalissimo of the insurgents, in the outbreak of that year. He fell into the hands of Lake, the royalist General, who immediately hanged him, in company with several others, and placed their heads upon spikes over the door of the Courthouse of Wexford, where they blackened in the sun for several weeks. — M.

† This unfortunate man, who had distinguished himself in the University of Dublin, and in early life had married a woman of large fortune, was lately found dead in Sackville street [in 1824. — M.].

which I had put them on ; and, as I walked from the Courts with the impression of mingled shame and commiseration still fresh upon me, I ventured to inquire of my own consciousness whether there was anything so cabalistic in the title of Counsellor, which I shared in common with the wretched man, whom I afterward found to be in daily attendance upon the Hall, and whether I had not a little exaggerated the importance to which I imagined that every barrister possessed an indisputable claim. It occurred to me, of course, that the instance of calamity which I had just witnessed was a peculiar one, and carried with it more of the outward and visible signs of distress than are ordinarily revealed. But is agony the less poignant, because its groans are hushed ? Is it because sorrow is silent, that it does not "consume the heart" ? or did the Spartan feel less pain, because the fangs that tore him were hidden beneath his robe ?

There is at the Irish bar a much larger quantity of affliction than is generally known. The necessity of concealing calamity is in itself a great ill. The struggle between poverty and gentility, which the ostentatious publicity of the profession in Ireland has produced, has, I believe, broken many hearts. If the Hall of the Four Courts were the Palace of Truth, and all its inmates carried a transparency in their bosoms, we should see a swarm of corroding passions at court in the breasts of many whose countenances are now arrayed in an artificial hilarity of look ; and, even as it is, how many a glimpse of misery may be caught by the scrutinizing eye that pierces through the faces into the souls of men ! The mask by which it is sought to conceal the real features of the mind will often drop off, and intimations of affliction will, upon a sudden, be involuntarily given. This is the case even with those whom the world is disposed to account among the prosperous ; but there is a large class, who, to an attentive and practised observer, appear habitually under the influence of painful emotion. The author of "Vathek" (a man conversant in affliction) has represented the condemned pacing through the Hall of Eblis with the same slow and everlasting footfall ; and I confess that the blank and dejected air, the forlorn and hopeless



eye, the measured and heart-broken pace, of many a man, whom I have observed in his revolution through the same eternal round in the Hall of the Four Courts, have sometimes recalled to me the recollection of Mr. Beckford's melancholy fancies.

If I were called upon to assign the principal cause of the calamities of which so many examples occur at the Irish bar, I should be disposed to say that their chief source lay in the unnatural elevation to which the members of that body are exalted by the provincial inferiority to which Ireland is reduced. The absence from the metropolis of the chief proprietors, and indeed of almost all the leading gentry, has occasioned the substitution of a kind of spurious aristocracy. An Irish barrister is indebted for his importance to the insignificance of his country; but this artificial station becomes eventually a misfortune to those who are dependent upon their daily exertions for their support; and who, instead of practising those habits of provident frugality which are imposed by their comparative obscurity upon the cloistered tenants of the two Temples, become slaves to their transitory consequence; and, after having wasted the hard earnings of their youth and manhood in preposterous efforts at display, leave their families no better inheritance than the ephemeral sympathy of that public whose worthless respect they had purchased at so large a cost. Let any man look back to the numerous instances in which appeals have been made to the general commiseration upon the decease of some eminent member of the bar, and he will not be disposed to controvert the justice of this censure upon the ostentatious tendencies of the profession.

Ireland is, I believe, the only country where there exists among the bar this preposterous tendency to ostentatious expense. The French bar, for example, live in respectable privacy, and are wholly free from extravagance. It is, I fancy, a mistake to suppose that the profits of the more eminent among them are too inconsiderable to permit of the silliness of display. The fees paid to French counsel of reputation, for their opinions, are large. Those opinions, indeed, are elaborate essays upon the law, and are called "Consultations." I had occasion, when in Paris, to consult Trippier,

who is accounted the best lawyer in Paris. He lives in the Rue Croix des Petis Champs, in apartments of a small size and indifferently furnished; and although he has amassed a large fortune, and has only two daughters, lives with a prudence which, if an Irishman were to publish a dictionary of synonymes, would be inserted as another name for avarice. I was not a little anxious to see this celebrated advocate, and waited impatiently in his study for his arrival. A French lawyer accompanied me, who observed that all his books related exclusively to law. The speeches of Cochin and Patin seemed, indeed, to be the only works connected with literature in his library. I was informed that Trippier valued nothing but the profits of his trade, and that he was wholly innocent of the sin of polite reading. At last the great *legiste* appeared. I was instantaneously struck with his strong resemblance to Curran. He is of precisely the same dimensions, has a countenance cast in the same mould, the same complexion, the same irregularity of feature, and the same black and brilliant eye. It also surprised me to find that there was an affinity in the sound of the voice, and a similar tendency to place the hand to the chin, and to throw up the head and eye in the act of speaking. He received us with brief courtesy, and seemed very anxious that we should proceed at once to the point. He placed himself in a huge chair, and assumed a most oracular aspect. I was a good deal amused by the transition of his manner, in which there was not a little of the conjuror. He drew one knee over the other, and extended his foot, which was covered with a tight green slipper. He wrapped himself up in his black silk *robe de chambre*, sustained his head with his left hand, fixed his fore finger on his brow, and, placing his right hand to his mouth, protruded his nether lip with an air of infallibility. After hearing an oral statement, to which he gave an occasional nod, he put his fee into his pocket, and saying that the facts should be set forth upon paper, and that he should then write his opinion, bowed us out of the room.—*Nota Bene*, A French lawyer receives a double fee on a written statement, and fifteen Napoleons are not unusually paid to Trippier.

The life of an eminent lawyer may be thus rapidly sketched : — He is called without any other property than those talents which have not in general a descendible quality. For some years he remains unemployed : at last gets a brief, creeps into the partialities of a solicitor, and sets up a bag and a wife together. Irish morality does not permit the introduction into the chambers of a barrister of those moveable objects of unwedded endearment, which Lord Thurlow used to recommend to the juvenile members of the profession ; and marriage, that perpetual blister, is prescribed as the only effectual sanative for the turbulent passions of the Irish bar.

In the spirit of imprudence, which is often mistaken for romance, our young counsellor enters with some dowerless beauty into an indissoluble copartnership of the heart. A pretty pauper is almost sure to be a prodigal. “Live like yourself,” is soon my lady’s word. “Shall Mrs. O’Brallaghan, the wife of a mere attorney, provokingly display her amorphous ankle, as she ascends the crimson steps of her carriage, with all the airs of fashionable impertinence ; and is the wife of a counsellor in full practice, though she may have ‘ridden double’ at her aunt Deborah’s, to be unprovided with that ordinary convenience of persons of condition ?” After a faint show of resistance, the conjugal injunction is obeyed.

But is it in an obscure street that the coachman is to bring his clattering horses to an instantaneous stand ? Is he to draw up in an alley, and to wheel round in a *cul de sac* ? And then there is such a bargain to be had of a house in Merrion-square. A house in Merrion-square is accordingly purchased, and a bond, with warrant of attorney for confessing judgment thereon, is passed for the fine. The lady discovers a taste in furniture, and the profits of four circuits are made oblations to *virtù*. The counsellor is raised to the dignity of King’s Consul, and his lady is initiated into the splendors of the Vice-Regal court. She is now thrown into the eddies of fashionable life ; and in order to afford evidence of her domestic propensities, she issues cards to half the town, with an intimation that she is “at home.”

She has all this while been prolific to the full extent of Hi-



bernian fecundity. The counsellor's sons swagger it with the choicest spirits of Kildare street; and the young ladies are accomplished in all the multifarious departments of musical and literary affectation. Quadrilles and waltzes shake the illuminated chambers with a perpetual concussion. The passenger is arrested in his nocturnal progress by the crowd of brilliant vehicles before the door, while the blaze of light streaming from the windows, and the sound of the harp and the taber, and the din of extravagance, intimate the joyaunce that is going on within. But where is the counsellor all this while? He sits in a sequestered chamber, like a hermit in the forest of Comus, and pursues his midnight labors by the light of a solitary taper, scarcely hearing the din of pleasure that rolls above his head.

The wasteful splendor of the drawing-room, and the patient drudgery of the library, go on for years. The counsellor is at the top of the forensic, and his lady stands upon the summit of the fashionable world. At length death knocks at the door. He is seized by a sudden illness. The loud knock of the judges peals upon his ear, but the double tap of the attorney is heard no more. He makes an unavailing effort to attend the Courts, but is hurried back to his house, and laid in his bed. His eyes now begin to open to the realities of his condition. In the loneliness and silence of the sick man's chamber a train of reflections presents itself to his mind, which his former state of professional occupancy had tended to exclude. He takes a death-bed survey of his circumstances; looks upon the future; and by the light of that melancholy lamp that burns beside him, and throws its shadowy gleams upon his fortunes, he sees himself, at the close of a most prosperous life, without a groat. The sense of his own folly, and the anticipated destitution of his family, settle at his heart. He has not adopted even the simple and cheap expedient of insuring his life, or by some miserable negligence has let the insurance drop. What is to become of his wife and his children? From the sources of his best affections, and of his purest pleasures, he drinks that potion—that aqua Tophana of the mind, which renders all the expedients of art without

avail. Despair sits ministering beside him with her poisoned chalice, and bids defiance to Colles and to Cheyne.\* His

\* Colles and Cheyne were at the head of the medical profession in Dublin for many years. Abraham Colles, born in 1773, studied at Dublin University, and was admitted a licentiate of the Royal College of Surgeons in 1795. Immediately after, he went to Edinburgh, then a great school of medicine, and there received the degree of M. D. He thence went to London, where he pursued further anatomical studies and much assisted in making the dissections from which were made the engravings in his friend Astley Cooper's work on Hernia. Returning to Dublin, he was elected resident surgeon of Steven's Hospital, which he continued from 1799 to 1833, and thence, as visiting surgeon, to 1842. He became a member of the Irish College of Surgeons, was many years Censor and thrice President of that body. He published several valuable works on Surgery, and one on the "Use of Mercury." He died in December, 1843, aged 71 years. In 1804 he was made Professor of Anatomy and Surgery, in the College of Surgeons, and continued in that chair until 1836. The result of his lectures was this—that there were sixty medical and surgical students per annum, when he commenced, and the annual average latterly was nearly a thousand. Dr. James W. Powell, now of New York (the eminent oculist), who was one of Colles' pupils, informs me that his lectures were "unambitious in language, clear in arrangement, full of facts, sound in theory plain in delivery, and crowded with practical illustrations." In those essentials they resembled those of Abernethy, in London. Colles was an excellent anatomist—but averse to show or display. He was the first surgeon in Ireland who ever tied the subclavial artery: an operation previously performed only twice in England. And, in this briefest notice, should be recorded that Colles was the first surgeon in Europe who ever passed a ligature round the arteria innominata, the first and largest branch derived from the great trunk of the aorta.—Colles was somewhat of a humorist. In his fee-book, which he carefully kept from the commencement of his practice, he had many curious entries, such as "For giving ineffectual advice for deafness; one guinea;—for attempting to draw out the stump of a tooth, one guinea;—for telling him that he was no more ill than I was, one guinea;—for nothing that I know, except that he probably thought he did not pay me enough last time, one guinea."—Colles was offered a baronetcy, which he declined, sensibly saying that the distribution he intended making of his landed property (worth two thousand pounds sterling a year) would not leave his eldest son sufficient to support an hereditary title.—Dr. John Cheyne, for many years at the head of the physicians in Ireland, was a native of Scotland, and born in 1777. He served in the Artillery as surgeon, was on duty in Ireland, during the revolt of 1798, and on his return to Scotland, became acquainted with Mr. (afterward Sir Charles) Bell, with whom he studied pathology and anatomy. At the age of thirty-five, Dr. Cheyne settled in Dublin. The leading men in the profession, who speedily saw that he understood acute diseases, as well as being acquainted with morbid anatomy, elected him Physician to Meath Hospital, and, soon after, he was

family gather about him. The last consolations of religion are given, amid heart-broken sobs; and as he raises himself, and stretches forth his head to receive the final rite, he casts his eyes upon the wretches who surround him, and shrinks back at the sight.

It is in the midst of a scene like this, and when the hour of agony is at hand, that the loud and heartless voice of official insolence echoes from chamber to chamber; and, after a brief interval, the dreadful certainty, of which the unhappy man had but too prescient a surmise, is announced. The sheriff's officers have got in; his majesty's writ of *fieri facias* is in the progress of execution; the sanctuaries of death are violated by the peremptory ministers of the law, and the blanket and the silk gown are seized together; and this is the conclusion of a life of opulence and of distinction, and, let me add, of folly as well as fame. After having charmed his country by his eloquence, and enlightened it by his erudition, he breathes his last sigh amid the tears of his children, the reproaches of his creditors, and a bailiff's jests.

made Professor of the practice of physic, to the College of Surgeons. This being during the Peninsular war, when there was a great demand for army-surgeons, his lectures entered fully into military medicine, and were crowded during five courses. He was appointed Physician to the House of Industry in 1815, resigning his College Professorship and, in 1820, was appointed Physician-General to the Army, the highest medical rank in Ireland. His annual income during the next ten years averaged five thousand pounds sterling, from private practice alone. In 1831, he was compelled, by the formation of the climacteric disease, which finally killed him, to retire from practice, amid the regret of all branches of the profession, and took up his abode at Sherington, a small village in England, where (to use his own words) "thinking it better to wear out than to rust out," he practised gratuitously among the poor, wrote some articles for "The Cyclopædia of Practical Medicine," and died on the last day of January, 1836. His family published a posthumous work, written after his retirement, called, "Essays on Partial Derangement of the Mind, in supposed connection with Religion," in which his theory is that derangement of the mind invariably is connected with bodily disorder—that religious madness in the first instance, is perversion of only one power of the mind—that clergymen err in placing Divine truth before those laboring under mental delusion until the bodily disease with which it is connected is cured or relieved—and that many of the doubts and fears of some religious persons depend either upon ignorance of the constitution and operations of the mind, or upon diseases of the body.—M



The calamities of which I have drawn this sombre picture, are the result of weakness and ostentation. Their victims are, upon that account, less deserving of commiseration than the unhappy persons whose misfortunes have not been their fault. This obvious reflection recalls the image of Henry MacDougall. I hear his honest laugh, which it was good for a splenetic heart to hear; I see the triumph of sagacious humor in his eye; those feats of fine drollery, in which pleasantry and usefulness were so felicitously combined, rise again to my recollection; the roar of merriment into which the bar, the jury, and the bench used to be thrown by this master of forensic mirth, returns upon my ear; but, alas! a disastrous token, with the types of death upon it, mingles itself with these associations. Poor MacDougall! he was prized by the wise and beloved by the good; and, with a ready wit and a cheerful and sonorous laugh, he had a manly and independent spirit and a generous and feeling heart.

Mr. MacDougall was at the head of the Leinster circuit, and was, if not the best, among the very first class of cross-examiners at the Bar. No man better knew how to assail an Irish witness. There was, at first, nothing of the brow-beating or dictatorial tone about this good-humored inquisitor, who entered into an easy familiarity with his victim, and addressed him in that spirit of fantastic gibe, which is among the characteristics of the country. The witness thought himself on a level with the counsellor, who invited him to a wrestling-match in wit, and, holding it a great victory to trip a lawyer up, promptly accepted the challenge. A hard struggle used often to ensue, and many a time I have seen the counsellor get a severe fall. However, he contrived to be always uppermost at last. The whole of "the fancy," who are very numerous in Dublin, used to assemble to witness these intellectual gymnastics. A kind of ring was formed round the combatants, and my Lord Norbury sat as arbiter of the contest, and insisted upon fair play. The peals of laughter which were produced by his achievements in pleasantry procured for MacDougall the title of "MacDougall of the Roar."

I shall not readily forget his last display. An action for

slander was brought by an apothecary against a rival pharmacopolist. One of the apprentices of the plaintiff was his leading witness, and it fell to Mr. MacDougall to cross-examine him. The wily lawyer induced the youthful Podalirius to make a display of his acquirements in detailing the whole process of his art. The farce of the "Mock Doctor" has never produced more mirth. All the faculty attended, and the crowd of doctors, surgeons, and man-midwives, reached the roof. They were, however, reluctantly compelled to join in the tumult of laughter created by this formidable jester at their expense. The chorus of apothecaries in Moliere's "*Bourgeois Gentilhomme*," in which the various mysteries of the profession are detailed, does not disclose more matter for merriment than was revealed in the course of this ludicrous investigation.

It is recorded of the "satirical knave," that he was assailed by the illness of which he died during the personation of a character intended as a ridicule upon the faculty. I sat close to Mr. MacDougall, and while I participated in all its mirth, my attention was attracted by a handkerchief which the author of all this merriment was frequently applying to his mouth, and which was clotted with blood. I thought, at first, that it proceeded from some ordinary effusion, and turned again toward the witness, when a loud laugh from the counsel at the success of a question which he had administered to the young apothecary, touching his performance of Romeo in the private theatre in Fishamble-street [Dublin], directed my notice a second time to Mr. MacDougall, and I perceived that, while the whole auditory was shaken with mirth, he was taking a favorable opportunity of thrusting the bloody handkerchief into his bag, without attracting the general attention, and immediately after applied another to his lips. Again he set upon the Romeo of Fishamble street, and produced new bursts of ridicule, of which he took advantage to steal his bloody napkins away, and to supply himself, without notice, with the means of concealing the malady which was hurrying him to the grave.

A day or two after this trial his illness and his ruin were announced. His high reputation in his profession, his private

worth, his large family, and the opinion which had been entertained of his great professional prosperity, fixed the public attention upon him. It was at last discovered that all the earnings of a laborious life had been laid out in speculations upon lands belonging to the corporation of Waterford, to the representation of which, it is supposed, he aspired. He had borrowed large sums of money, and had subjected himself to enormous rents. He was induced, in the hope of ultimately retrieving his circumstances, to involve himself more deeply in debt; and the rank of King's counsel, to which he was raised by Mr. Plunket, in a manner equally honorable to both, offered a new career to his talents, and led him to expect that all his difficulties might be at last surmounted. But the hope was a vain one. The pressure was too great for him to bear, and he sunk at last beneath it.

For a long time he struggled hard to conceal the state of his circumstances and of his mind, and assumed a forced hilarity of manners. He was conspicuous for an obstreperous gayety at the bar-mess on his circuit, and no man laughed so loudly or so long as he did; but when his apparently exuberant spirits were spoken of, those who knew him well shook their heads, and hinted that all was not right within. And so it proved to be. His mind had for years been corroded with anxieties. His constitution, although naturally vigorous, was slowly shaken by the sapping of continual care. A mortal disease at length declared itself, in the increasing gush of blood from the gums, which he had employed the expedients that I have mentioned to conceal. Yet even in the hours of advancing dissolution, he could not be induced to absent himself from court; and the scene which I have been describing was one of those in which, if I may so say, Momus and Death were brought into fellowship. He died a short time after the trial in which I had noted this painful incident.

To the last, his love of ludicrous association did not desert him. A little while before his departure, one of his oldest friends was standing at his bed-side and bidding him farewell. During this melancholy parting, a collapse of the jaws took place, which rendered it necessary to tie a bandage under the



chin; and in the performance of the operation, with the blood still oozing from his mouth, and trickling down the sheets, he turned his eyes languidly to his friends, and muttered, with a faint smile, "I never thought to have died chapfallen." This observation was not the result of insensibility; quite the reverse. "You should have seen him when he spoke it," said the gentleman who mentioned the circumstance; "I felt like the companion of Yorick's death-bed, who perceived, by a jest, that the heart of his friend was broken." It is consolatory to know, that since his death his property has been turned to good account, and that his family are placed in independence.

Never to attain to station at the Bar; to carry the consciousness of high talent; to think that there is a portable treasure in one's mind, which the attorneys do not condescend to explore; to live for years in hope, and to feel the proverbial sickness of the heart arising from its procrastination—these are serious ills. But the loss of business, at an advanced period of life, is a far greater calamity than never to have attained its possession. Yet a distinction is to be taken. Those who have been deserted by their business are divisible into two classes, who are essentially different: the prudent, who, with the forecast which is so rare a virtue in Ireland, have taken advantage of the shining of their fortunes, and, by a sagacious accumulation, are enabled to encounter the caprices of public favor; and they who, after a life of profuseness, find themselves at last abandoned by their clients, without having preserved the means of respectable support.

The former class suggest a ludicrous, rather than a melancholy train of images. The contemplation of a rich man out of employment affords more matter for merriment than for condolence. To this body of opulent veterans my friend Pomposo belongs. His success at the Bar was eminent. He possessed, in a high degree, a facility of fluent and sonorous speech, and had an imposing and well-rounded elocution, a deep and musical voice, a fine and commanding figure, and a solemn and didactic countenance. He flourished at a period when a knowledge of the minute technicalities of the law was not essential at the Irish Bar. There was a time when an Irish

counsellor was winged to heaven by a bill of exchange, and drew tears from the jury in an ejectment for non-payment of rent. In those days Pomposo was in the highest repute; and such was the demand for him, that the attorneys upon opposite sides galloped from the assize towns to meet him, and sometimes arriving at the same moment at the open windows of his carriage, thrust in their brief, and with a shower of bank-notes, and simultaneously exclaimed that the counsellor belonged to them. Upon these occasions Pomposo used to throw himself back in his post-chaise with an air of imperious *non-chalance*, and, pocketing the money of both parties, protest that it was among the calamities of genius to be stopped in the king's highway, and, drawing up the windows of his carriage, commanded the postillion to drive on. This half-yearly triumph of eloquence through the Munster circuit lasted for a considerable time, and Pomposo found himself a rich man. When, after the enactment of the Union, English habits began to appear, and the iron age of demurrers and of nonsuits succeeded to the glorious days of apostrophes and harangues, it was all over with Pomposo. Still he loved the Four Courts, and haunted them.

Becoming at last weary of walking the Hall, he took refuge in the Library attached to the Courts. It was pleasant to hear him ask, with an air of earnestness, for the oldest and most unintelligible repertories of black letter, in which he affected to seek a pastime. Bracton seemed to be his manual, and Fleta his vade-mecum. I have heard his deep and solemn voice, which still retained its old rhetorical tones, breaking in upon the laborious meditations of the young gentlemen who had recently returned from Butler's or Sugden's\* offices, bristling with cases and with points, and who just raised up their heads and invested their features with a Lincoln's-Inn expression at any intrusion of a lawyer of the old school into this repository of erudition. Pomposo, having armed himself with one of the year-books, took his station tranquilly by the fire,

\* Charles Butler was a Catholic, and one of the best special pleaders in England.—Sugden (now Lord St. Leonards) wrote his great work on Powers when he was only a year at the bar.—M.

and after stirring it, and commenting with his habitual magniloquence upon the weather, threw open the annals of justice in the reign of the Edwards, and fell fast asleep. It has been recorded of him that he has been heard, upon these occasions, to speak in his slumbers; and while Queen Mab was galloping on his fingers, he has alternately intermingled the prices of stocks with adjuration to a Munster jury.

Pomposo still goes the circuit. No man is more punctual in his attendance at the exact hour of dinner at the Bar-room. The junior, who is generally fresh from a pleader's office, and enamored of Nisi Prius upon his first tour, remains in court until the business is concluded, and thus neglects the official duty which requires his presence at the Bar-room at five o'clock. Pomposo and an old friend or two enter together. Pomposo draws forth his watch, and exclaims, "Ten minutes past five o'clock, and the junior not yet come!" Having a taste for music, he beguiles the time with humming some of those airs for which he was famous in his youth, and goes through the best portion of the "Beggar's Opera," when six o'clock strikes. "I protest it is six o'clock, and the junior is not yet come—'When the heart of a man,' &c.;" and so Pomposo continues until seven o'clock, alternately inveighing against the remissness of modern juniors, and, as Wordsworth has expressed it,

---

———— "whistling many a snatch of merry tunes  
That have no mirth in them."

The wealth which this very respectable gentleman has accumulated raises him above the sympathy of the Bar. The other class of barristers without employment falls more immediately under the title with which I have headed this article.

There was a set of men at the Irish Bar who, I think, may be designated as the "Yelverton school of lawyers." Lord Avonmore, the Chief Baron of the Exchequer, whose name was Barry Yelverton, originally belonged to that grade in society which is within the reach of education, but below that of refinement. He never lost the indigenous roughness and asperity of character, which it has been said to be the office of



literature to soften and subdue ; but he had a noble intellect, and in the deep rush of his eloquence the imperfections of his manner were forgotten.

His familiarity with the models of antiquity was great, and his mind had imbibed much of the spirit of the orators of Greece and Rome, which he infused into his own powerful discourses. So great was his solicitude to imbue himself with the style of the eminent writers whom he admired, that he translated several of their works, without a view to publication.

His talents raised him to the highest place at the Bar, and his political complaisance lifted him to the Bench. In private life he possessed many excellent qualities, of which the most conspicuous was his fidelity in friendship. In his ascent he raised up the companions of his youth along with him. The business of the Court of Exchequer was, under his auspices, divided among a set of choice spirits who had been the boon companions of his youth, and belonged, as well as himself, to a jovial fraternity, who designated themselves by the very characteristic title of "Monks of the Screw."\*

\* Curran, who like all wits, was an eminently social man, collected around him, while struggling at the bar, an assemblage of choice spirits, chiefly of his own profession. Among the members were Henry Flood, Grattan, Father O'Leary, Lord Charlemont, Judge Day and others who were destined to wear the ermine, Bowes Daly, Jerry Keller, Lord Avonmore, and others. They formed a jovial society, meeting during term on every Saturday night (the lawyer's holyday), under the presidency of Curran, who was Grand Prior of the Order, and wrote the charter song, of which only the following stanzas have come down to us :—

"When St. Patrick our Order created,  
And called us the Monks of the Screw,  
Good rules he revealed to our Abbot,  
To guide us in what we should do.  
But first he replenished his fountain,  
With liquor the best in the sky,  
And swore, by the word of his saintship,  
That fountain should never run dry.

"My children ! be chaste — till you're tempted :  
While sober, be wise and discreet,  
And humble your bodies with fasting,  
Whene'er — you've got nothing to eat !

These merry gentlemen encountered a nonsuit with a joke, and baffled authority with a repartee. A system of avowed and convivial favoritism prevailed in the court; and the "*facundi calices*," which had been quaffed with his lordship, were not unnaturally presumed to administer to the inspiration of counsel on the succeeding day. The matins performed in court were but a prolongation of the vespers which had been celebrated at the abbot's house; and as long as the head of the order continued on the Bench, the "Monks of the Screw" were in vogue; but when the Chief Baron died, their bags were immediately assailed with atrophy. They lost their business, and many of them died in extreme indigence. It may be readily imagined that their habits were inconsistent with the spirit of saving. They were first pitied, then forgotten, and soon after buried.

Most of these gentlemen flourished and withered before my time. One of them, however, I do remember, who survived his companions, and whose natural vitality of spirit, and Diogenes turn of philosophy, sustained his energy to the last. This was Mr. Jeremiah Keller, who was universally known by the more familiar appellation of Jerry Keller in the Courts.\*

Then be not a glass in the convent,  
 Except on festival found;  
 And, this rule to enforce, I ordain it—  
 A festival all the year round."

Some five or six years ago, I met an aged clergyman in London, whom I recollect on three accounts:—at the age of 86, he remembered all the cards played at whist, by whom played, and in what order; he had voted in 1780, being then twenty-two years old, at the election for Bristol, when one of the candidates, following Burke, who had made a long speech, briefly and effectively exclaimed, "I say *ditto* to Mr. Burke;" and he had been one of the "Monks of the Screw." The club, for it was such, was established (he said) when Curran, a poor man, could not afford the expense of entertaining his boon-companions. It originally was a sort of *pic nic*, each man sending in what he pleased, to make up the feast, the supply being usually so abundant as to supply Curran's domestic wants for the ensuing week. Eventually, the monks had rooms of their own.—M.

\* Jerry Keller, as he was always called, was an Irish barrister of immense talent, whose life was a failure. He used no mean arts (and such were common in his day) to obtain briefs. He neither flattered seniors nor entertained attorneys, nor flirted with their wives, nor coquetted with their daughters. Ho

The attorneys could deprive him of his briefs, but could not rob him of his wit. He was a man

———— “replete with mocks,  
Full of comparisons and wounding flouts.”

The loss of business served to whet his satire and give more poignancy to his biting mirth. He used to attend the Hall of the Courts with punctuality, and was generally surrounded by a circle of laughers, whom the love of malicious pleasantry attracted about him. His figure and demeanor were remarkable. He never put on his wig and gown, as he scorned the affectation of employment, but appeared in an old frieze great-coat of rusty red, which reached to his heels, and enveloped the whole of his gaunt and meagre person. A small and pointed hat stood upon his head, with a narrow and short-curved brim. His arms were generally thrust into the sleeves of his coat, which gave him a peculiarity of attitude.

Looking at him from a distance, you would have taken him for some malevolent litigant from the country, upon whose passions a group of mockers were endeavoring to play; but, upon a more attentive perusal of his countenance, you perceived a habit of thought, of a superior order, and the expres-

did not succeed at the bar, as a man so gifted should have succeeded. At last he limited his ambition to shining at the social board, and *there* few eclipsed him. A dull rival, named Mayne, was made a judge; “There,” he was heard to mutter, like the under-growl of a tempest, “Mayne sits, risen by his gravity, and Keller sunk by his levity: what would Newton say to *that*!” — He was witty. He dined, in 1780, at the house of one Garrett Moore, grocer and whiskey-vender, in Aungier street, Dublin. When the mirth grew “fast and furious,” an intimation was made that the lady of the house had just been confined. “Let us adjourn,” said his friend. “Certainly,” replied Jerry, “*pro re natâ*.” The young stranger, was Thomas Moore, the poet. — An attorney, with a peculiar malformation of hands, explaining an act of parliament, sprawled his deformed members over the page. “Here it is,” he cried, “here’s the clause.” Jerry answered, “you are right, for once — they’re more like *claws* than hands.” When, in 1800, Barry Yelverton was raised from the rank of Baron, to that of Viscount Avonmore, because he had voted for the Union, he summoned a few friends to read the draft of the patent. It was worded, “To all to whom *these letters-patent* shall come, greeting; We of the *United kingdom* of Great Britain and Ireland —” — “Stop!” said Keller, who was one of the party, “the *consideration* is set out too early in the deed.” — M.



sion of no ordinary mind. His features were sharp, and pointed to the finest edge. There was that acuteness of the nose which denotes the lover of a gibe. His eyes were piercing, clear, and brassy; they were filled with a deadly irony, which never left them. A flash of malignant exultation played over his features when he saw how deeply the shaft had struck, and with what a tenacity it stuck to his victim. The quiver of his lip, in giving utterance to some mortal sneer, was peculiarly comical: he seemed as if he were chewing the poison before he spat it forth. His teeth gave a short chatter of ridicule; you heard a dry laugh, a *cachinnus* which wrinkled all his features, and after a sardonic chuckle, he darted forth the fatal jest, amidst those plaudits for its bitterness which had become his only consolation.

Jerry Keller, as the senior, presided at the mess of the Munster bar, and ruled in all the autocracy of unrivalled wit. It was agreed upon all hands that Jerry should have a *carte blanche* with every man's character, and that none of his sarcasms, however formidable, should provoke resentment. This was a necessary stipulation; for when he had been roused by those potations, in which, according to a custom which he did not consider as "honored by the breach," he liberally indulged, there was a Malagrowth savageness in his sarcasm which made even the most callous shrink. He who laughed loudest at the thrust which his neighbor had received, was the next to feel the weapons of this immitigable satirist. To enter into a struggle with him, was a tempting of God's providence. You were sure to be pierced in an instant by this accomplished gladiator, who could never be taken off his guard. Jerry had been a Catholic, and still retained a lurking reverence for a herring upon Good Friday. A gentleman of no ordinary pretension,\* observing that Jerry abstained from meat on that sacred day, ventured to observe, "I think, Jerry, you have still a damned deal of the *Pope* in your belly."—"If I have," said Jerry, "you have a damned deal of the *Pretender* in your head."

\* Nicholas Purcell O'Gorman, Secretary to the Catholics for many years, and appointed County Judge by Lord Anglesey, when Viceroy.—M.

I was one day (let not the reader allow himself to be startled by too sudden a transition from Dublin to Constantinople) — I was, I recollect, one day, repeating this sarcasm to a gentleman who had recently returned from the East, and mentioned the name of the barrister, Mr. N——, to whom it had been applied; and I was a good deal surprised, that, instead of joining in a laugh at the bitterness of the retort, his face assumed a melancholy expression. I asked him the cause of it, when he told me, that the name which I had just uttered, had recalled to him a very remarkable and very painful incident which had happened to him at Constantinople. I begged him to relate it. “I was one evening,” he said, “walking in the cemeteries of Constantinople. But I have, I believe, written an account of this adventure in my journal, and had better read it to you.”

He accordingly took a huge book from a drawer, and read as follows: — “It is not unusual for the inhabitants of the Asiatic portion of the great capital of Islamism, to walk in the evening amid the vast repositories of the dead, which are adjacent to Scutari. Death is little dreaded in the East, while the remains of the deceased are objects of tenderness and respect among their surviving kindred. This pious sentiment being unaccompanied by that dismay with which we are apt to look upon the grave, attracts the Turks to the vast fields where their friends and kindred are deposited.

“I proceeded upon a summer evening from Constantinople, properly so called, to the Asiatic side, and entered the vast groves of cypresses which mark the residence of the dead. The evening was brilliant. There was not a breath of wind to stir the leaves of those dismal trees, which spread on every side as far as the sight can reach, and, being planted in long and uniform lines, open vistas of death, and conduct the eye through long sweeps of sepulchres to the horizon. The dwellings of the dead were filled with the living. The ranges of cypresses were crowded with Turks, who moved with that slow and solemn gait which is peculiar to the country. The flowing and splendid dresses of those majestic infidels, their lofty turbans, of which the image is sculptured upon every monument,

their noble demeanor, and their silence and collectedness, by the union of life and death together, gave an additional solemnity to this imposing spectacle. The setting of the sun threw a mournful splendor upon the foliage of the trees, and lighted up this forest of death with a funereal glory.

“I leaned against a cypress which grew over a grave on which roses had been planted. From this spot, full of those ‘flower-beds of graves,’ as Mr. Hope\* has called them, and which mothers or sisters had in all likelihood so adorned (it is the usage in the East to apparel a tomb with these domestic tokens of endearment), I looked around me. While I was contemplating ‘this patrimony of the heirs to decay,’ my attention was attracted by a man dressed in tattered white, and with a ragged turban on his head, who stood at a small distance from me, and, although attired in the dress of the country, had something of the Frank in his aspect. There was an air of extreme loneliness and desolation about him. He leaned with his back to a marble sepulchre, which was raised by the side of the public road that for miles traverses the cemeteries. His arms were folded, his head was sunk on his chest, and his eyes fixed upon the earth. The evening was far advanced, and, as it grew dark, the crowds who had previously filled the cemeteries began to disperse.

“As the brightness of the evening passed away, I perceived that dense and motionless cloud of stagnant vapors, which had disappeared in the setting sun, but which, Mr. Hope tells us, for ever hangs over these dreary realms, and is exhaled from the swelling soil ready to burst with its festering contents. A chilly sensation stole upon me, and I felt that I was ‘set down in the midst of the valley which was full of bones.’ I was about to depart from this dismal spot, when, looking toward the sepulchre where I had observed the solitary figure I have been describing, I perceived that he was approaching. I was at first a little startled, and, although my apprehensions passed away when he addressed me in the English language, my surprise, when I looked at him, was not a little increased. He said, that he conjectured from my appearance that I was an

\* In “Anastatius,” a Turkish romance, by the late Thomas Hope.—M.



Englishman ; and was proceeding to implore, with the faltering of shame, for the means of sustenance, when I could not avoid exclaiming, ‘Gracious God! can it be?’—‘Alas!’ said the unfortunate man, covering his face with his hands, ‘it is too true. I am Mr. N——, of the Irish bar.’”\*

The gentleman who read this singular incident from his journal, was at the time employed in writing a Tour in the East, and may have tinged his description of the cemeteries of Stamboul with some mental colors. But, of the fact of this interview having taken place in the burial-ground of Constantinople, I have no doubt. It would not be easy to imagine adventures more disastrous than those of the unhappy Mr. N——. He moved in Dublin in the highest circles, and was prized for the gracefulness of his manners and the gayety of his conversation. He became a favorite at the castle, and was admitted to the private parties at the vice-regal palace. The late Duchess of Gordon visited Ireland, and was greatly pleased with his genius for losing at piquet. No person was preferred by that ingenious dowager to a votary of fortune, who still continued to worship at a shrine where his prayers had never been heard. It was rumored that he was every day plunging himself more deeply into ruin ; still he preserved his full and ruddy cheek, and his glittering and cheerful eye. Upon a sudden, however, the crash came, and his embarrassments compelled him to leave the country.

He had one friend, Mr. Croker, of the Admiralty, had known him when he was himself at the Irish bar, and was diligently employed in writing those admirable satires, with which I shall endeavor, upon some future occasion, to make the English public better acquainted ; for Mr. Croker is not only the author of “The Battle of Talavera,” but likewise of the “Familiar Epistles,” and is thought to have assisted Mr.

\* Mr. Norcott was the person here indicated. He was a great favorite with the Duke of Richmond (who was Viceroy of Ireland from 1807 until 1813), and sacrificed his bar prospects, which were good, and his talents, which were considerable, to the poor vanity of being a court-favorite. His fortune passed from him at the card-table—as it often does when the points at short whist are fifty guineas each, with “a pony” (or five-and-twenty pounds) on the odd trick. He perished, a renegade, as described in the sketch.—M.

N—— in the composition of "The Metropolis."\* These very able pasquinades were but the preludes to high undertakings.

\* John Wilson Croker, well known as a politician and author, was born in 1780, educated at Dublin University, and called to the bar in 1802. Accident threw him into Parliament—for, having been professionally engaged at Downpatrick election, in 1807, he was returned as member for that borough. Thence, until the passing of the Reform Bill, in 1832, he continuously held a seat in Parliament—five years of that period, for the University of Dublin. In 1809, when Colonel Wardle brought his charges against the Duke of York (second son of George III., and Commander-in-Chief of the army), of having permitted Mary Ann Clarke, his mistress, to dispose of military and other appointments, under his patronage, Croker so ably and zealously defended the Duke, as a volunteer, that (though his convicted client had to resign the command of the army) the post of Secretary of the Admiralty was given him, in gratitude for the service, and he retained this lucrative office, then worth nearly three thousand pounds sterling a year, until 1830, when he retired, on the break-up of the Wellington Ministry, on a pension of fifteen hundred pounds a year. Two years earlier he had been made a Privy Councillor. When the Grey Administration brought in and carried their Reform Bill, they were met on every detail by Croker, who showed a tact, readiness, and even eloquence, joined with ready wit and sarcasm, for which few had previously given him credit. To use the language in which Mr. Thackeray described the glorious conduct of the great Washington, he "fought with a courage worthy of a better cause!"—Here ended Croker's political life, for he kept his vow that he would not sit in a reformed House of Commons. His earlier literary productions, sarcastic and shrewd, were on local subjects, and had their chief celebrity in Dublin, where their allusions were understood and relished. His first prose work of permanent interest was called "Stories from the History of England," which Scott took as the model of his own familiar "Tales of a Grandfather." He has edited the Suffolk Papers, the Letters of Lady Hervey and her husband, and Boswell's Life of Johnson. This last, which was crowded with errors amid a great mass of new and illustrative annotation, drew down a severe critique, in the "*Edinburgh Review*," from the pen of Macaulay; a favor which Croker returned, with interest, on Macaulay's "History of England." This critique appeared in the "*Quarterly Review*," established, in 1809, through the combination of Scott, Canning, Croker, and their friends. Croker, who was admitted to much familiarity with George IV., both as Regent and King, was in habits of intimacy with the nobility as well as the leading men of letters and artists on the Tory side. One of his latest criticisms was published in the "*Quarterly Review*" for July, 1853, on Lord John Russell's "Life, Journals, and Letters, of Thomas Moore," in which the noble editor and the peer-loving "poet of all circles" were ruthlessly tormented, tomahawked, and scalped. It is an old and true saying that "those who play at bowls must expect rubbers," and Mr. Croker has been treated, in this retributive spirit, by Mr. D'Israeli, who

It does Mr. Croker great honor that, in his emergencies, his brother barrister and satirist was not forgotten. The honorable Secretary promised a lucrative situation for Mr. N—— in the island of Malta. His Irish friends looked forward to the period when he should be enabled, after recruiting his circumstances, to return to Ireland, and to reanimate Kildare-street club-house, with that vivacious pleasantry of which he was a felicitous master; when, to everybody's astonishment, it was announced that Mr. N. had left the island,\* had taken up his residence at Constantinople, and renounced his religion with his hat.

He became a renegade, and invested his brows with a turban. The motives assigned for this proceeding it is not necessary to mention. It is probable that he involved himself a second time by play, and that he had no other resource than the expedient of a conversion, through the painful process of which he heroically went. Having carried some money with him to Constantinople, he at first made a considerable figure. He was dressed in the extreme of Turkish fashion, and was considered to have ingratiated himself by his talents into the favor of some leading members of the Divan. His prosperity at Constantinople, however, was evanescent. His money was soon spent, and he fell into distress. Letters of the most heart rending kind were written to his friends in Dublin, in which he represented himself as in want of the common means of subsistence.

It was in this direful state of destitution that he addressed himself, in the cemeteries of Constantinople, to a person whom he guessed to be a native of these countries, and whom he discovered to be his fellow-citizen. His condition was lamentable

has drawn him, in his political novel of "Conyngsby," as the mean, toadying, and illiberal Digby. It is understood that, though now [1854] in his seventy-fourth year, Mr. Croker is editing the works of Alexander Pope. In his editorial as well as in his critical capacity, Croker avoids anything like a broad view of the subject, but carefully creeps over it, applying himself to the examination of minute details. He is never so happy as when he "breaks a butterfly upon the wheel."—M.

\* Barrington says, "At Malta he soon disgraced himself in a manner which for ever excluded him from society.—M."



beyond the power of description. His dress was at once the emblem of apostacy and of want. It hung in rags about a person which, from a robust magnitude of frame, had shrunk into miserable diminution. He carried starvation in his cheeks; ghastliness and misery overspread his features, and despair stared in his glazed and sunken eye. He did not long survive his calamities.

The conclusion of his story may be briefly told. For a little while he continued to walk through the streets of Constantinople in search of nourishment, and haunted its cemeteries like the dogs to which Christians are compared. He had neither food, roof, nor raiment. At length he took the desperate resolution of relapsing into Christianity; for he indulged in the hope, that, if he could return to his former faith, and effect his escape from Constantinople, although he could not appear in these countries again, yet, on the continent, he might obtain at least the means of life from the friends, who, although they could not forgive his errors, might take compassion upon his distress. He accordingly endeavored to fly from Constantinople, and induced some Englishmen who happened to be there, to furnish money enough to effect his escape. But the plot was discovered. He was pursued, and taken at a small distance from Constantinople; his head was struck off upon the beach of the Bosphorus, and his body thrown into the sea.

## THOMAS LEFROY.

THERE is something apparently irreconcilable between the ambition and avidity which are almost inseparable from the propensities of a successful lawyer, and any very genuine enthusiasm in religion. The intense worldliness of his profession must produce upon his character and faculties equally tangible results; and if it has the effect of communicating a minute astuteness to the one, it is not very likely to impart a spirit of lofty abstraction to the other. I can not readily conceive anything more sublunary than the bar. Its occupations allow no respite to the mind, and refuse it all leave to indulge in the aspirations which a high tendency to religion not only generates, but requires. They will not even permit any native disposition to enthusiasm to branch aloft, but fetter it to the earth, and constrain it to grow down. How can the mind of a lawyer, eddying as it is with such fluctuating interests, receive upon its shifting and troubled surface those noble images which can never be reflected except in the sequestered calm of deep and unruffled thought? He whose spirit carries on a continued commerce with the skies, is not only ill adapted to the ordinary business of society, but is scarcely conscious of it. He can with difficulty perceive what is going on at such a distance below him; and if he should ever divert his eyes from the contemplation of the bright and eternal objects upon which they are habitually fixed, it is but to compassionate those whom he beholds engaged in the pursuit of the idle and fantastic fires that mislead us in our passage through "this valley of tears."

To such a man, the ordinary ends of human desire must ap-

pear to be utterly preposterous and inane. The reputation which Romilly has left behind must sound as idle in his ears as the wind that shakes the thistle upon his grave. An ardent religionist must shrink from those offices which a lawyer would designate as the duties, and which are among the necessary incidents, of his profession. To play for a little of that worthless dross, which is but a modification of the same material upon which he must at last lie low, all the multiform variety of personation which it is the business of a lawyer to assume—to barter his anger and his tears—to put in mirth or sorrow, as it suits the purpose of every man who can purchase the mercenary joke or the stipendiary lamentation—these appear to be offices for which an enthusiastic Christian is not eminently qualified. Still less would he be disposed to misquote and to misrecite—to warp the facts, and to throw dust into the eyes of justice—to enter into an artificial sympathy with baseness—to make prostitutes of his faculties, and surrender them in such an uncompromising subserviency to the passions of his client, as to make them the indiscriminate utensils of depravity.

How fallacious is all speculation when unillustrated by example, and how rapidly these misty conjectures disappear, before the warm and conspicuous piety of the learned gentleman whose name is prefixed to this number of the “Sketches of the Irish Bar.” This eminent practitioner, who has rivals in capacity, but is without a competitor in religion, refutes all this injurious surmise; and in answer to mere inference and theory, the sainted fraternity among whom he plays so remarkable a part, and who with emulative admiration behold him uniting in his person the good things of the Old Testament, with the less earthly benedictions of the New, may triumphantly appeal to the virtues and to the opulence of Mr. Sergeant LEFROY.

The person who has accomplished this exemplary reconciliation between characters so opposite in appearance as a devoted follower of the gospel and a wily disputant at the bar, stands in great prominence in the Four Courts, but is still more noted among “the saints” in Dublin, and I think may be



accounted their leader. These are an influential and rapidly-increasing body, which is not wholly separated from the church, but is appended to it by a very loose and slender tie. They may be designated as the Jansenists of the establishment; for in their doctrines of grace and of election they border very closely upon the professors of the Port-Royal. For men who hold in such indifference the pleasures of the world, they are singularly surrounded with its fugacious enjoyments. Encompassed with innocuous luxuries and innocent voluptuousness they felicitously contrast their external wealth with that mortification of the spirit of which they make so lavish a profession, and of which none but an irreclaimable skeptic could entertain a doubt.

At the bar they are to be found in considerable strength, and are distinguished among their brethren for their zeal in the advancement of the interests of religion and their own. They are, in general, sedulous and well-informed—competent to the discharge of ordinary business, and free of all ambition of display—a little uncandid in their practice, and careless of the means by which success is to be attained—pursuivants of authority and followers of the great—gentlemanlike in their demeanor, but not without that touch of arrogance toward their inferiors which is an almost uniform attendant upon an over-anxious deference to power—strong adherents to abstract principles of propriety, and vehement inculcators of the eternal rules of rigour; but at the same time not prodigally prone to any Samaritan sensibilities—amiable in their homes, and somewhat selfish out of them—fluent reciters of the Scriptures—conspicuously decent in their manners, and entirely regardless of the apple-wench in the Hall.

The great prototype of this meritorious fraternity is Mr. Sergeant Lefroy. It would do good to the heart of the learned member for Galway to visit his stables on a Sunday. The generous animals who inhabit these exemplary tenements, participate in his relaxations, and fulfil with scriptural exactness the sacred injunction of repose. Smooth as their benevolent master, they stand in their stalls amid all the luxury of grain, and, from their sobriety and sleekness, might readily be recog-

nised as the steeds of a prosperous and pious man. It is one of the Sergeant's favorite canons that the lower orders of the animal creation should join in the celebration of the seventh day, and contribute the offering of their involuntary homage. Loosened himself from the rich wain of his profession, he extends a similar indulgence to the gentle quadrupeds, who are relieved on that day from the easy obligation of drawing one of the handsomest equipages in Dublin, to which, in all probability, the chariots of the primitive Christians did not bear a very exact resemblance.

If you should chance on Sunday to walk near the Asylum (a chapel in Leeson street, which, from the number of sanctimonious lawyers who inhabit it, is called "Swaddling bar"), you will see the learned Sergeant proceeding to this favored domicil of worship, near which he resides without any verification of the proverb, with a huge bible bound in red morocco under his arm. It is a truly edifying spectacle. A halo of piety is diffused about him. His cheeks, so far from being worn out by the vigils of his profession, or suffused with the evaporations of the midnight lamp, are bright, shining, and vermilioned. There is a gloss of sanctity upon them, which is happily contrasted with the care-colored visages of the profane. A serious contentedness is observable in his aspect, which indicates a mind on the best footing with Heaven and with itself.

There is an evangelical neatness in his attire. His neckcloth is closely tied, and knotted with a simple precision. His suit of sables, in the formality of its outline, bears attestation to the stitches of some inspired tailor who alternately cuts out a religion and a coat; his hose are of gray silk; his shoes are burnished with a mysterious polish, black as the lustre of his favorite Tertullian. As he passes to the house of worship, he attracts the pious notice of the devouter fair who flock to the windows to behold him; but, heedless of their perilous admiration, he advances without any indulgence of human vanity, and joins the convocation of the elect. There his devotion exhales itself in enraptured evaporations, which nothing but the recognition of some eminent solicitor in the adjoining pew can interrupt. The service being over, he proceeds to fill up the

residue of the day with acts of religious merit, and, as I have heard, with deeds of genuine humanity and worth.

With him, I really believe that upon a day which he sets apart from worldly occupation, with perhaps too much Puritan exactness, "works of mercy are a part of rest." While I venture to indulge in a little ridicule of his sabbatarian precision, which is not wholly free from that sort of pedantry which is observable in religion as well as in learning, I should regret to withhold from him the encomium which he really deserves. It has been whispered, it is true, that his compassion is, in a great degree, instigated by his theological predilections, and that it has as much of sectarianism as of philanthropy. But humanity, however modified, is still humanity. If, in leaving the chamber of suffering and of sorrow, he marks with a bank-note the leaf of the Bible which he has been reading at the bedside of some poorer saint, let there be given to his benevolence, restricted as it may be by his peculiar propensities in belief, a cordial praise. The sphere of charity must needs be limited; and of his own money, it is a clear truism to say, he is entitled to dispose as he thinks proper. With respect to the public money, the case is different; and upon the distribution of a fund of which he and certain other gentlemen of his profession are the trustees (so at least they have made themselves), there appears less right to exercise a summary discretion. I allude to the Kildare-street Association, of which he is one of the principal members.

The street from which this association has derived its name has brought the extremes in morals into a close conjunction. The Pharisees of Dublin have posted themselves in a most Sadducean vicinage, for their meetings are held beside the most fashionable gaming-club\* in Ireland. Loud indeed and long are the oratorical ejaculations which issue from the assemblies held under the peculiar auspices of the illuminated associates of the long robe. Here they hold out a useful example of prudence as well as of zeal, and indulge their generous propensities at little cost.

They receive, by parliamentary grant, an annual sum of six

\* Daly's Club-House. — M.



thousand pounds for the education of the poor;\* and by a prodigious stretch of individual beneficence, a hundred guineas are added through a private subscription among the elect. In the allocation of this fund, they have established rules which are entirely at variance with the ends for which the grant has been made by Parliament. They require that the Bible should be read in every school to which assistance is given. With this condition the Roman Catholic clergy (and the chief among the Protestant hierarchy concur in their opposition) have refused to comply. The indiscriminate perusal of the Scriptures, unaccompanied by any comment illustrative of the peculiar sense in which they are explained by the Roman Catholic church, seems to be inconsistent with the principles in which that church is founded. The divines of Kildare street have, however, undertaken the difficult task of demonstrating to this obstinate and refractory priesthood that they understood the tenets and spirit of their religion much better than any doctor at Maynooth.† A consequent acrimony has arisen between the parties, and the result has been that the few channels of education which exist in the country are denied all supply from a source which has been thus arbitrarily shut up.

It is lamentable that, in the enforcement of these fanatical enactments, so much petty vindictiveness and theological acerbity should be displayed. The assemblies held at Kildare street, with the ostensible view of advancing the progress of intelligence among the lower classes, exhibit many of the qualities of sectarian virulence in their most ludicrous shape. A few individuals who presume to dissent from the august authorities who preside at these meetings, occasionally venture to enter their public protest against both the right and the propriety of imposing a virtually impracticable condition upon the allocation of the parliamentary fund. Lord Cloncurry implores them, with an honest frankness, to abandon their proselytizing

\* This grant has been withdrawn for some years, and what is called the National has superseded the Kildare-street system of education. — M.

† The Roman Catholic College of Maynooth, endowed by Parliament, for the education of young men destined for the Church. They previously had to go to France or Italy for that purpose. — M.

speculation. O'Connell, too, who "like a French falcon flies at everything he sees," comes panting from the Four Courts, and gives them a speech straight. The effects produced upon the auditory, which is compounded of very different materials from the meetings which the counsellor is in the habit of addressing with so much success, are not a little singular.

Of the ingredients of this assembly it may not be amiss to say a few words. Aware of his purpose, the Saints employ themselves for some days before in congregating all those who hold his politics and his creed in their most special abhorrence. They accordingly collect a very motley convocation. In the background are posted a strong phalanx of the ragged and ferocious votaries of Mr. Cooper.\* These persons belong to the lower classes of Protestants, of whose religion it would not be easy to give any more definite description than that they regard the Plunket-street orator as on a very close footing with the Divinity, and entertain shrewd doubts whether he be not the prophet Enoch himself. Adjoining to this detachment, which is posted as a kind of *corps de réserve*, whose aid is to be resorted to upon a case of special emergency, the Evangelicals of York street are drawn up. Next come a chosen band of Quakers and Quakeresses; and lastly are arrayed the Saints, more properly so called, with the learned Sergeant and divers oily-tongued barristers at their head. The latter are judiciously dispersed among the pretty enthusiasts who occupy the front benches, and whisper a compliment in the ear of some soft-eyed votary, who bears the seal of grace upon her smooth and ivory brow.

It may not be inappropriate to observe, that among the softer sex the Saints have made very considerable way. The cold worship of the establishment is readily abandoned for the more impassioned adoration which corrects the tameness and frigidity of the constituted creed. The latter is, indeed, a kind of Catholicism cut down; it is popery without enthusiasm; and to remedy its want of stimulus, an exciting system has been devised, the practices and tenets of which are endowed

\* An "unco pious" pillar of the Protestant ascendancy party in Dublin in 1823, when this paper was written. — M.

with a peculiar pungency. The Kildare street meetings are attended by some of the prettiest women in Dublin; and I should say, in justice to these tender devotees, that they appear there with a peculiar interest. There is a studied modesty in their attire that only excites the imaginations which it purposes to repress.

In this scene, thus strangely compounded, it is pleasant to see the Popish agitator engaged in a wrestle with the passions and antipathies of his hearers. The moment he rises, an obscure murmur, or rather growl, is heard in the more distant parts of the room. This discourteous sound proceeds from the Cooperites, who find it difficult to restrain themselves from any stronger expression of abhorrence toward this poisoned scion of St. Omer's.\* The politer portion of the audience interfere, and the learned Sergeant entreats that he may be heard.

O'Connell proceeds, and professes as strong and unaffected a veneration for the Holy Writings as any of them can entertain; but at the same time begs to insinuate, that the Bible is not only the repository of Divine truths, but the record of human depravity, and that, as a narrative, it comprehends examples of atrocity, with the detail of which it is, perhaps, injudicious that youth and innocence should become familiar. Are crimes which rebel against nature, the fit theme of domestic contemplation? and are not facts set forth in the Old Testament, from the very knowledge of which every father should desire to secure his child? If he were desperate enough to open the Holy Writings in that very assembly, and to read aloud the examples of guilt which they commemorate, the face of every woman would turn to scarlet, and the hand of every man would be lifted up in wrath: and are the pages which reveal the darkest depths of depravity fitted for the speculations of boyhood and the virgin's meditations? Will not the question be asked, What does all this mean? and is it right that such a question should be put, to which such an answer may be given? The field of conjecture ought not to be opened

\* O'Connell, it should be borne in mind, was originally intended for the priesthood, and received his early education at the college of St Omer, in France.—M.



to those whose innocence and whose ignorance are so closely allied. Sacred as the tree of knowledge may appear, and although it grow beside that of life, its fruits are full of bitterness and death.

Mr. O'Connell then insists that the Scriptures ought not to be forced into circulation, and that a bounty should not be put upon their dispersion among the shoeless, hoseless, shirtless, and houseless peasantry of Ireland. Give them work and food instead of theology. Are they capable of comprehending the dark and mysterious intimations of St. Paul, or St. John's Revelation? Would not the Apocalypse bother the learned Sergeant himself? and have not his poor countrymen enough to endure, and are they not sufficiently disposed to quarrel, without the additional incentive of polemics? Is it in a ditch school that his learned friend conceives that the mysteries of the Trinity, of the Incarnation, and not more embarrassing Sacrament, are to be discussed?

Kindling as he advances, the great demagogue throws himself into other topics, and charges his pious friends with a violation of their duty to the public, in the arbitrary imposition of conditions against which every Roman Catholic exclaims. He disputes their right to exercise a compulsion founded on their own fantasies in the execution of a solemn trust, and at last roundly insinuates that proselytism must be their object.

At this a mighty uproar ensues. The holy rabble in the distance send up a tremendous shout: their Bibles are brandished—their eyes gleam with a more deadly fire—and their faces become more formidably grim:—a thrill of indignation runs through the whole assembly—the spirit of Obadiah himself is moved within him, and even the ladies allow the fierce infection to make its way into their gentle and forbearing breasts. A universal sibilation is heard—mouths that pout and mince their orisons with Madonna sweetness are suddenly distorted—a hiss issues from the lips of roses, and intimates the venom that lurks beneath. O'Connell struggles hard and long, but he is at length fairly shouted down.

In the midst of this stormy confusion, the learned Sergeant appears, and the moment his tall and slender person is pre-

sented to their notice, a deep and reverential silence pervades the meeting. The previous tumult is followed by attention

“Still as night, or summer’s noontide air”—

the ladies resume their suavity, and look angelical again; and the men chuckle at his anticipated triumphs over the far-famed missionary of Antichrist.

To pursue their champion through his victorious reply would swell my pages beyond their fitting compass; suffice it to say, that he satisfactorily demonstrates the propriety of teaching the alphabet from the Prophecies, and turning the Apocalypse into a primer. He points out the manifold advantages of familiarizing the youthful mind with the history of the Jews. The applauses of his auditors, and his own heated conviction (for he is quite sincere), inflame him into emotions which bear a resemblance to eloquence, and raise his language beyond its ordinary tone. The feelings nearest to his heart ascend to his mind, and communicate their effervescence. His phrase is struck with the stamp of passion. His eye becomes ennobled with better thought; he shuffles off for a moment the coil of his forensic habitudes. The universal diffusion of Christian truth fills him with enthusiasm. He beholds the downfall of Popery in the opening dimness of time. Every chapel is touched by that harlequin the fancy into a conventicle. The mass bells are cracked, and the pots of lustral water are shattered. A millennium of Methodism succeeds. A new Jerusalem arises. The Jews are converted (a favorite project with the Sergeant, who holds an annual meeting for the purpose); all Monmouth street is illuminated; its tattered robes are turned into mantles of glory. The temple is rebuilt upon an exact model of the Four-Courts. The Harlot of Babylon is stripped stark-naked, and the cardinals are given over to Sir Harcourt Lees. At length the vision becomes too radiant for endurance. A third heaven opens upon him, and he sinks exhausted by his enjoyments, and perspiring with ecstacy, amid the transports of auditors to whom he imparts a rapture almost equal to his own.

Let me conduct the reader from Kildare street to the Court

of Chancery. Here an utter transformation takes place in the person of the learned Sergeant, which almost brings his identity into doubt. Instead of eyes alternately veiled in the humility of their long and downcast lashes, or lifted up in visionary devotion, you behold them fixed upon the Chancellor, and watching with a subtle intensity all the shiftings of expression with which the judicial countenance intimates its approval or dissent. The whole face of the vigilant and wily pleader is overspread with craft. There is a lurking of design in every feature of his sharp and elongated visage. You will not perceive any nice play of the muscles, or shadowings of sentiment in his physiognomy; it is fixed, hard, and imperturbable. His deportment is in keeping with his countenance. He scarcely ever stands perfectly erect, and there is nothing upright or open in his bearing. His shoulders are contracted, and drawn in; and the body is bent, while the neck is protruded. No rapidity of gesture, or suddenness of movement, indicates the unanticipated startings-up of thought. The arm is never braced in the strenuous confidence of vigorous enforcement, with which Plunket hurls the truth at the Bench; but the long and taper fingers just tip the green table on which they are laid with a peculiar lightness. In this attitude, in which he looks a sophism personified, he applies his talents and erudition to the sustainment of the most questionable case, with as much alacrity as if weeping Innocence and virtuous Misfortune clung to him for support.

The doubtful merits of his client seem to give a new stimulus to his abilities; and if some obsolete form can be raised from oblivion, if some preposterous precedent can be found in the mass of antiquated decisions under which all reason and justice are entombed; or if some petty flaw can be found in the pleadings of his adversary, which is sure to be detected by his minute and microscopic eye, wo to the widow and the orphan! The Chancellor [Manners] is called upon to decide in conformity with some old monastic doctrine. The pious Sergeant presses him upon every side. He surrounds him with a horde of barbarous authorities; and giving no quarter to common sense, and having beaten equity down, and laid



simple honesty prostrate, he sets up the factious demurrer and the malicious plea in trophy upon their ruins. Every expedient is called into aid: facts are perverted, precedents are tortured, positions unheard before are laid down as sacred canons; and, in order to effect the utter wreck of the opposite party, deceitful lights are held up as the great beacons of legal truth. In short, one who had previously seen the learned Sergeant for the first time in a Bible Society, would hardly believe him to be the same, but would almost be inclined to suspect that it was the genius of Chicane, which had invested itself with an angelic aspect, and, for the purpose of more effectually accomplishing its pernicious ends, had assumed the celestial guise of Mr. Sergeant Lefroy.

Let me not be considered as casting an imputation upon this able, and, I believe, amiable man. In the exhibition of so much professional dexterity and zeal, he does no more than what every advocate will regard as his duty. I am only indulging in some surprise at the promptness and facility of his transition from the religious to the forensic mood; and at the success with which he divests himself of that moral squeamishness, which one would suppose to be incidental to his intellectual habits. Looking at him as an advocate, he deserves great encomium. In industry he is not surpassed by any member of his profession.

It was his good fortune that, soon after he had been called to the bar, Lord Redesdale should have been Lord Chancellor.\*

\* Lord Redesdale, born in August, 1748, was an excellent Chancellor—clear minded, straight-forward, learned, and patient. His name was John Freeman Mitford, and he was English by birth. He was educated at Oxford, studied the law, and became an eminent chancery pleader, after he was called to the bar. He wrote a book on Chancery Pleadings, which went through several editions. In 1790, he was made a Welsh judge (an office now abolished) and was knighted in 1793, when he was appointed Solicitor-General. He had to appear against Mr. Hardy, tried on a charge of high treason, and his opening speech was distinguished by moderation, good taste, and acuteness. In 1799, he succeeded Scott (Lord Eldon) as Attorney-General. He had been in Parliament since 1785, and, in 1801, was elected Speaker, the first and highest office a Commoner can hold in England. In 1802, on being appointed Lord Chancellor of Ireland, he was raised to the peerage, as Lord Redesdale. When Grenville and Fox formed their Coalition Ministry, in 1806, he was compelled to

That great lawyer introduced a reformation in Irish practice. He substituted great learning, unwearied diligence, and a spirit of scientific discussion, for the flippant apothegms and irritable self-sufficiency of the late Lord Clare. He entertained an honorable passion for the study, as well as for the profits of his profession; and, not satisfied with pronouncing judgments which adjusted the rights of the immediate parties, he disclosed the foundations of his decisions, and, opening the deep ground-work of equity, revealed the principles upon which the whole edifice is established.

The value of these essays delivered from the Bench was well appreciated by Mr. Lefroy, who, in conjunction with Mr. Schoales, engaged in the reports which bear their names, and which are justly held in so much esteem. Soon after their publication, Mr. Lefroy rose into business, for which he was in every way qualified. He was much favored by Lord Redesdale, and now enjoys the warm friendship of Lord Manners [1823], for whom he acts as confidential counsel.\* His great familiarity with cases, and a spirit of peculiar deference to his Lordship, combined with eminent capacity, have secured for him a large portion of the judicial partialities. He is in the fullest practice, and, taking his private and professional income into account, may be well regarded as the wealthiest

resign, for, on taking leave of the bar, he said that "he had hoped to have ended his days in Ireland, but was not permitted. His consent to depart from England was yielded at the wish of some who now concurred in his removal: this he owned, he did not expect." On his return to England, he strongly opposed the ministry, particularly on Lord Grenville's motion for Catholic Emancipation. His future political course was anti-liberal. In Committees of Appeal, in the Lords, his opinion had great weight. He originated the humane measure for the relief of insolvent debtors. His death took place, on the 16th January, 1830. His only son, the present Lord Redesdale, is Chairman of Committees in the House of Lords, with a salary of four thousand pounds sterling a year, and also Deputy-Speaker of that house. His previous qualifications appear to have been—that he kept a pack of hounds!—M.

\* In England and Ireland it is not uncommon for a Judge to employ a barrister in whom he has confidence, to assist him in looking up the law in difficult cases. The person employed is called the Judge's "Devil." The law officers of the Crown have like assistance, and the barristers who work for them reap a rich harvest, by being usually employed as junior counsel in the cases in which their superiors receive retainers and hold briefs.—M.

man at the Irish bar. His great fortune, however, has not had the effect of impairing in him the spirit of acquisition. He exhibits, indeed, as acute a perception of pecuniary excitement as any of his less devout brethren of the coif.

Sergeant Lefroy will, in all likelihood, be shortly raised to the Bench.\* He has already officiated upon one occasion as a judge of assize, in consequence of the illness of some of the regular judges, and gone the Munster circuit. His opinions and demeanor in this capacity are not undeserving of mention: they have attracted much attention in Ireland, and in England have not escaped observation. Armed with the king's commission, he arrived in Limerick in the midst of those dreadful scenes, to which no country in Europe affords a parallel.† All the mounds of civil institutions appeared to have been carried away by the dark and overwhelming tide, which was running with a tremendous current, and swelling every day into a more portentous magnitude. Social order seemed to be at an end. A wild and furious population, barbarized by a heartless and almost equally savage gentry, had burst through the bonds by which its madness had been hitherto restrained, and rushed into an insurrection, in which the animosities of a civil were blended with the ferocity of a servile war. Revenge and hunger employed their united excitations in working up this formidable insanity. Reckless of the loss of an existence which afforded them no enjoyment, the infuriated victims of the landlord and the tithe-proctor extended to the lives of others the same estimate which they set upon their own; and their appreciation of the value of human breath was illustrated in the daily assassinations, which were devised with the guile, and perpetrated with the fury, of an Indian tribe. The whole country smoked with the traces of devastation—blood was shed at noon upon the public way—and crimes even more dreadful than murder made every parent tremble.

\* He is now [1854], Chief-Justice of the Queen's Bench, having been appointed in 1852, when Mr. Blackburne was made Chancellor.—M.

† The agrarian disturbances of 1821, chiefly arising out of the demands on the Catholics for tithes, to support the rich Protestant Church.—M.



Such was the situation of the county of Limerick, when the learned Sergeant arrived to administer a remedy for these frightful evils. The calendar presented almost all the possible varieties which guilt could assume, and might be designated as a hideous miscellany of crime. The court-house exhibited an appalling spectacle. A deep and awful silence hung heavily upon it, and the consciousness that lay upon every man's heart, of the frightful crisis to which the county seemed rapidly advancing, bound up the very breath of the assembly in a fearful hush. The wretched men in the dock stood before the judicial novice in a heedless certainty of their fate. A desperate independence of their destiny seemed to dilate their broad and expanded chests, and their powerful faces gave a gloomy token of their sullen indifference to death. Their confederates in guilt stood around them with much stronger intimations of anxiety in their looks, and, as they eyed their fellow-conspirators in the dock, seemed to mutter a vow of vengeance for every hair that should be touched upon their heads. The gentry of the county stood in the galleries with a kind of confession in their aspect, that they had themselves been participant in the production of the crimes which they were collected to punish, but which they knew that they could not repress.

In this assembly, so silent that the unsheathing of a stiletto might have been heard amidst its hush, the learned Sergeant rose, and called for the piece of parchment in which an indictment had been written. It was duly presented to him by the clerk of the crown. Lifting up the legal scroll, he paused for a moment, and said: "Behold! in this parchment writing, the causes of all the misery with which the Lord has afflicted this unhappy island are expressed. Here is the whole mystery of guilt manifestly revealed. All, all is intimated in the indictment. Unhappy men, you have not the fear of God before your eyes, and you are moved by the instigations of the Devil." This address went beyond all expectation—the wretches in the dock gazed upon their sacred monitor with a scowling stare—the Bar tipped each other the wink—the parsons thought that this was a palpable interference with my

lord the bishop—the O'Gradys thrust their tongues into their cheeks, and O'Connell cried out, "Leather!"

I have no room to transcribe the rest of this remarkable charge. It corresponded with the specimen already given, and verified the reference to the fabulist. So, indeed, does every charge delivered from the Irish Bench. Each man indulges in his peculiar propensities. Shed blood enough, cries old Renault.\* Be just, be humane, be merciful, says Bushe. While the learned Sergeant charges a confederacy between Beelzebub and Captain Rock, imputes the atrocities of the South to an immediate diabolical interposition, and lays at the Devil's door all the calamities of Ireland.

\* This mild-tempered gentleman may be remembered as one of the characters in Otway's very tragic tragedy of "Venice Preserved."—M.

## THOMAS GOOLD.

THE French Revolution had scarcely burst upon the world, and its portentous incidents were still the daily subject of universal astonishment or dismay, when there arose in the metropolis of Ireland a young gentleman, who, feeling jealous of the unrivalled importance which the Continental phenomenon was enjoying, resolved to start in his own person as an opposition-wonder. He had some of the qualifications and all the ambitious self-dependence befitting so arduous a project. Nature and fortune had been extremely kind to him. He was of a respectable and wealthy family. His face was handsome; his person small, but symmetrical and elastic, and peculiarly adapted to the performance of certain bodily feats which he subsequently achieved.

As to his general endowments, he was, upon his own showing, a *fac-simile* of the admirable Crichton. He announced himself as an adept in every known department of human learning, from the prophetic revelations of judicial astrology, and the more obsolete mysteries of magic lore, up to the lightest productions of the amatory muse of France. He professed to speak every language (except the Irish) as fluently and correctly as if he had been a native born. He played, sung, danced, fenced, and rode, with more skill and spirit than the masters of those respective arts who had presumed to teach him. He had a deep sense of the value of so many combined perfections, and acted under the persuasion that he was called upon to amaze the world.

His friends, who had perceived that beneath his incomprehensible aspirations there lurked the elements of a clever man,



recommended the Bar as a profession in which, with industry, and his £10,000, for he inherited about as much, and a rising religion, for he was a Protestant, he might fairly hope to gratify their ambition, if not his own. He assented; and submitted to pass through the preliminary forms—rather, however, under the idea, that at some future period it might suit his views to accept the chancellorship of Ireland, than with any immediate intention of squandering his youthful energies upon so inglorious a vocation. He felt that he was destined for higher things, and proceeded to assert his claims. He never appeared abroad but in a costly suit of the most persuasive cut, and glowing with bright and various tints. He set up an imposing phaeton, in which with Kitty Cut-a-dash, of fascinating memory, and then the reigning illegitimate belle of Dublin, by his side, he scoured through streets and squares with the brilliancy and rapidity of an optical illusion. He entertained his friends, the choicest spirits about town, with dinners, such as bachelor never gave before—dishes so satisfying and scientific, as to fill not only the stomach, but the mind—claret, such as few even of the Irish bishops could procure, and champagne of vivacity exemplified only by his own. He furnished his stable with a stud of racers; and, if I am rightly informed, he still, half-laughing, half-wondering at his former self, recalls the times when mounted upon a favorite thoroughbred, and flaming in a pink-satin jockey-dress, he distanced every competitor, and bore away the Curragh cup.\*

I have spoken of his dancing. Tradition asserts that it was not confined to ball-rooms. I am told that at the private theatre in Fishamble-street, a place in those days of much fashionable resort, he was known to slide in between the acts, in the costume of a Savoy peasant, and throw off a *pas seul* in a style of original dexterity and grace, which, to use an Irish descriptive phrase, “elicited explosions of applause from the men, and ecstatic ebullitions of admiration from the ladies.” He was equally remarkable for his excellence in the other manly ex-

\* The principal races in Ireland take place upon the Curragh of Kildare—at once an equivalent for Doncaster and Newmarket, Epsom and Ascot, with Goodwood and—the rest.—M.

ercises. He thought nothing of vaulting over four horses standing abreast. He was paramount at foot-ball; and astonished and won wagers from the Bishop of Derry himself (the noted Lord Bristol),\* who was supposed to be the keenest judge in Ireland of what the toe of man could achieve.

Before assuming the forensic robe, our aspirant for renown set out upon a Continental tour; and according to his subsequent report, although he travelled in strict *incognito*, gathered fresh glory at every post-town through which he was whirled along. After a considerable stay at Paris, where, however, he arrived too late to stop the revolutionary torrent, he passed on and visited several of the German courts—gave “travelling opinions” upon the course of policy to be respectively pursued by them at that critical juncture, and afterward satisfied himself that the most important events that followed were mainly influenced by his timely interposition. He left Germany with some precipitation. The rumor ran that there were state-reasons for his departure. The subject was too delicate to be revealed in all its circumstances, but upon his return to Ireland his friends heard in broken sentences of a certain Palatine princess—the dogged jealousy of

\* The Earl of Bristol, who was also Bishop of Derry (the income of which was twenty thousand pounds sterling a year, at that time), was a very strange character. He was born in 1730, and died in 1803—having spent the last years of his life in Italy, quite unmindful of his episcopal duties to his diocese—but sacredly receiving its immense revenue. He bitterly opposed the Union, and went down to the House of Lords, in a coach drawn by eight horses, to vote against it. He was son of the Lord Hervey (Keeper of the Privy Seal, in 1740), to whom, thinking highly of his intellect and learning, Bishop Middleton dedicated his “History of the Life of Cicero,” while on the other hand, he comes down to us, as the Sporus of Pope’s severe Satire, in which his character is thus limned:—

“Eternal smiles his emptiness betray,  
As shallow streams run dimpling all the way;  
Whether in florid impotence he speaks,  
And, as the Prompter breathes, the puppet squeaks.  
Eve’s tempter, thus the Rabbins have exprest—  
A cherub’s face, a reptile all the rest,  
Beauty that shocks you, parts that none can trust,  
Wit that can creep, and pride that licks the dust.”

In June, 1826, the Earldom of Bristol was raised into a Marquisate.—M.

royal husbands—the incorrigible babbling of maids of honor—muttered threats of incarceration—and a confidential remonstrance on the part of a very sensible man, a member of the Aulic council, respecting the confusion that might hereafter ensue, should it come to be suspected that the stream of reputed legitimacy had been reinforced by a tributary rill of Munster blood.

Upon his reappearance in Ireland, our prodigy, exulting in the fame of his Continental exploits, was about to commence a new course of wonders in his native land, when an unforeseen occurrence in the form a dishonored check upon his banker came to

———“repress his noble rage  
And freeze the genial current of his soul.”

He discovered that he was a ruined man. The patrimonial ten thousand pounds which had given an *eclat* to all he did, had vanished. The road to glory still lay before him, but he was without a guinea in his pocket to pay the travelling expenses.

In this emergency there were three courses open to him—to cut his throat—to sell his soul to the Protestant ascendancy—or to be honest and industrious, and ply at his profession. He chose the last—and (the most wondrous thing in his wonderful career) it came to pass, that notwithstanding the many apparent disqualifications under which he started, he rose, and not slowly, to an eminence which no one but himself would have ventured to predict. He is now “*quantum mutatus ab illo*,” a very able and distinguished person at the Irish Bar, Mr. Sergeant Goold.

If I have ushered in my notice of this gentleman with an allusion to the freaks of his youth, of which, after all, I may have received an exaggerated account, it is because I consider it to be infinitely to his praise that he should have so manfully surmounted his early pretensions and disappointments, as the progress of his professional history has evinced. The study of “four-day rules,” and “notices to quit,” demands no extraordinary reach of intellect; but the transition from the airy



speculations of a sanguine and ambitious disposition to these unimaginative details is one the most abrupt and mortifying that ever tried the elasticity and patience of the mental powers.

Mr. Goold, notwithstanding the friskiness and levity of his external deportment, had the inward energy to face and surmount the repelling task. He plunged with a hardy and exploring spirit into the wilderness of law—burst through its perplexities, drank freely, and made no wry faces, from its bitter springs; and by a perseverance in patient and solitary labor, entitled himself to more substantial returns than that applause which he had once prized above every earthly compensation.

Some time after Mr. Goold had formed this meritorious resolution, an incident befell him, of which it is difficult to say whether it was most calculated to quicken or to damp his newborn ardor for laborious occupation. When Burke's celebrated "Reflections on the French Revolution" appeared, the author and the book, as all my readers know, were vigorously assailed. Mr. Goold, considering the subject not unworthy of his powers, had thrown himself into the controversy. He was at the time in a frame of mind befitting a sturdy partisan. He had recently returned from Paris, where, during a residence of some time, he had been an eyewitness of the disgusting clamor and excesses of the period. He was also still smarting from the recollection of certain rude *accolades* that had been forcibly imposed upon himself by sundry haggard Naiads of the *Halle*—a perversion of the authentic rights of men and of women, against which, when he came to record the fact, he did not fail to protest with genuine antigallic indignation. His pamphlet was entitled, characteristically enough, a "Defence of Mr. Burke's work 'against *all* his opponents.'" The number that had already declared themselves in print amounted to ten—two anonymous ladies, and eight gentlemen—among whom were Doctors Towers, Price, and Priestley.\*

\* Eminent dissenters, ultra-liberal in politics. Dr. John Towers, was a Unitarian preacher, and wrote several biographical and political works. He died in 1799, aged sixty-two.—Dr. Richard Price, celebrated for his ability in arith-

The defender of Burke took each of them in detail. The gentlewomen he despatched with a good deal of gallant forbearance; but for the doctors and their male auxiliaries he had no mercy. He belabored them with unsparing logic and more relentless rhetoric, until every sign of sense and argument was beaten out of them, and proclaimed his victory by a final flourish of trumpets to the renown of Burke. "I never, says he, saw Mr. Burke but once. I saw him from the gallery of the House of Commons. I know no man that knows him. I probably shall know no man that knows him. In a few weeks I leave this country, perhaps never to return. I expect but little from any man. I shall never ask any thing. In whatever country I may live, in whatever situation I may be placed, I shall look down on grandeur, I shall look up to greatness. Nor wealth, nor rank, nor power, nor influence, shall bend my stubborn neck. I am prostrate before talents; I am prostrate before worth; my admiration of Mr. Burke amounts almost to enthusiasm," &c.

This was pretty strong incense, and there was more of the same kind; but I am quite certain that it was offered without the remotest expectation of any return in either praise or profit; and as to the writer's professions of independence, though very hazardous in so young an Irishman, they have been amply justified by his subsequent life. The pamphlet,

metical calculations, was consulted by William Pitt, as to the best mode of paying off the national debt, and suggested the Sinking Fund, which Alison thinks would have affected its purpose, if strictly adhered to and persevered in. When the French revolution broke out, Dr. Price, who had charge of an Arian congregation, near London, preached a sermon "On the Love of Country," in which he hailed the French revolution as the commencement of a glorious era. Burke, in his celebrated *Reflections* on that event, severely animadverted on Price and his opinions. Dr. Price died in 1791, aged sixty-eight.—Dr. Joseph Priestley, a dissenting minister, well known as a political writer and experimental philosopher, also was an ardent admirer of the French revolution, and a mob at Birmingham, where he resided, burned his house, library, manuscripts, and scientific apparatus and instruments, his life being in imminent danger also. He retired to the United States in 1794, and died at Northumberland, in Pennsylvania, in 1804, aged seventy-one. His published works extend to nearly eighty volumes.—M.

however, taken altogether, attracted the notice and excited the gratitude of Burke.\*

The fact is rather curious, as illustrating the predicament of

\* By the common consent of competent Judges, of all shades of politics, Burke was one of the greatest men at a period in British history, when eminence was less frequent than at present. Dr. Johnson, who knew him well, said, "Edmund Burke in discourse, calls forth all the powers of my mind; were I to argue with him on my present state, it would be the death of me." Somebody asked him whether he did not think that Burke resembled Cicero, and Johnson answered, "No, sir: Cicero resembles Burke." At another time he said that no person of sense ever met Burke under a gateway to avoid a shower, who did not go away convinced that he was the first man in England.—Fox, after their quarrel, publicly confessed that all he had ever read in books, all that his fancy had imagined, all that his reasoning faculties had suggested, or his experience had taught him, fell far short of the exalted knowledge which he had acquired from Burke.—Grattan, when studying law in London, often heard Burke speak (in 1772, ere he had reached middle life), and said he was ingenious, oratorical, undaunted; boundless in knowledge, instantaneous in his apprehensions, abundant in his language, speaking with profound attention and acknowledged superiority.—Pitt characterized his remarks as the overflowing of a mind, the richness of whose wit was unchecked for the time by its wisdom.—Cazales declared that Burke possessed the sublimest talents, the greatest and rarest virtues, that ever were enshrined in a single character.—Gerard Hamilton, when at variance with him, protested that he understood everything except gaming and music.—Windham said that it was not among the least calamities of the times that the world had lost him.—Crabbe speaks of the vastness of his attainments and the immensity of his varied powers.—Lord Thurlow stated that Burke would be remembered with admiration when Pitt and Fox would be comparatively forgotten.—Goldsmith, speaking of Johnson, asked "Does he wind into a subject as Burke does?"—Learning, said another admirer, waits upon him, like a handmaid, presenting to his choice all that antiquity had called or invented.—As a public speaker, he was bold and forcible, his delivery easy and unembarrassed. He spoke with a strong Irish accent, but his manner was inelegant. He was an orator, but not a debater. He crowded his speeches with metaphors, ornaments, and classical allusions, until the subject-matter was hidden beneath the illustrations. His eloquence was too rich for the bulk of his auditors, consisting of plain country-gentlemen—who sneered at what they did not understand. In a word, he astonished rather than convinced. His published must not be taken as his spoken speeches—for when they came to be printed he rewrote and corrected them so much that the compositors usually found it easier to distribute the type and reset the whole matter than to attempt to alter it on the stone or in the galley! Laterly, his parliamentary speeches did not at all strike his hearers—except for their prolixity—they were spoken essays, and when he rose to deliver one of them, two thirds of the members would retire to take refreshments at Bellamy's.



feeling in which that eminent person's new theories and new connections had involved him. He had just quarrelled with his old political associates for adhering to the spirit of the

Hence he was called *The Dinner Bell*. Goldsmith, who knew and loved him, described him as one

“Who, born for the universe, narrowed his mind,  
And to party gave up what was meant for mankind :  
Who, too deep for his hearers, still went on refining,  
And thought of convincing when they thought of dining.”

General Fitzpatrick, speaking of Burke, said, “Ask any well-informed public character, who is the best-informed man in Parliament, and the answer will certainly be, Burke; inquire who is the most eloquent or the most witty, and the reply will be, Burke; then ask who is the most tiresome, and the response still will be, Burke—most certainly, Burke.” Born in Ireland, on the first day of 1730, Burke went to England, at the age of twenty-three, to study law. His family chiefly supported him in London, but he also earned money by his pen. His “*Vindication of Natural Society*,” and his “*Treatise on the Sublime and Beautiful*,” published in 1756, introduced him into literary society. Nine years after, he became private secretary to the Premier (the Marquis of Rockingham), who brought him into Parliament. Then commenced that long and brilliant career which is part of English history. His first effort, as a politician, was in favor of the American colonies, and, for several years, he opposed the obnoxious measures of the Government. He joined Fox in opposing Lord North's administration, which they broke up—Burke taking office under the new Ministry, retiring on the sudden death of Lord Rockingham, and returning under the Coalition of Fox and North. At the age of five-and-twenty, Pitt became Premier, and thenceforth Burke was exiled from office. This was in 1783, and Burke continued a mere opposition-member until 1786, when he became principal on the impeachment of Warren Hastings. During the insanity of George III. in 1788, Burke joined Fox in asserting the claims of the Prince of Wales to a regency without restrictions. In 1789, when the French Revolution broke out, and his friends hailed it as the dawn of freedom for the nations, Burke threw himself headlong into violent opposition, renounced all connection with Fox, published his “*Reflections on the French Revolution*,” which the European despots had translated into many languages, while George III. presented copies of it to his particular friends, as “a book which every gentleman ought to study.” The work was so elaborated that no fewer than ten or twelve proofs were destroyed before he could please his own fastidious taste. He continued *possessed* with an anti-Gallican feeling during the remaining few years of his life. In 1795, he obtained a State-pension of twelve hundred pounds sterling a year, afterward raised to three thousand seven hundred pounds sterling, with the remainder to his widow, who survived him very many years. It is impossible to say whether an understanding that he was to be so rewarded made Burke write down (as far as he could) the principles of liberty which he had avowed and defended for thirty years, but Sir Philip Francis

principles he himself had taught them. Still professing the tenets of "an exalted freedom," he was pouring forth curses and derision upon one of the most provoked and necessary acts of freedom which the world had ever witnessed; and such is the sophistry with which a favorite passion can practise upon the strongest intellect, he would fain persuade himself that he was consistent to the last, and that doctrines which were hailed with joy in every despotic *coterie* of Europe, were the only genuine and unadulterated maxims of a British Whig.

But though bold even to overbearing in his public assertions of his personal consistency, it is not unreasonable to surmise that, in his private hours, his heart was ill at ease. He must have felt that his fame, if not his conscience, was in want of external support. Certain, however, it is, that he grasped at the voluntary offer with something like the sign of a sinking spirit. The tributes of ardent admiration and respect so profusely scattered through his young countryman's pamphlet touched the veteran's feelings, and lived in his memory upon the first occasion that offered of marking his sense of the obligation.

The opportunity seemed to present itself upon the appointment of Lord Fitzwilliam\* in 1795 to the government of Ire-

(the reputed author of "The Letters of Junius") used to say that if the friends of peace and liberty had subscribed thirty thousand pounds sterling to relieve Burke's pecuniary embarrassments, there would have been no war against the French Revolution. Burke's writings vindicated Pitt's policy of war with France, to restore "legitimacy," and this war added six hundred million pounds sterling to the National Debt of England! Burke died on July 8, 1797, aged sixty-seven.—M.

\* The Earl Fitzwilliam, nephew of the Marquis of Rockingham (who was Prime Minister in 1765-'6, and again in 1782), entered the House of Commons early, and steadily adhered to the principles of Fox, until the French revolution, when he seceded, as Burke did, and consequently pleased Pitt, who admitted him into the Cabinet in 1794, and sent him as Viceroy to Ireland, in the following year. He was too liberal for the office and was soon recalled. But he supported Pitt's war with France. In 1798-'9, he was appointed Lord Lieutenant of the West Riding of Yorkshire, but was dismissed, in 1819, because he had attended a public meeting held to petition for an inquiry into the conduct of the Manchester magistrates at what is called "The Peterloo Massacre." He had previously formed one of "All the Talents" ministry, in 1806. His death took place in 1833, in his seventy-fifth year.—M.

land. One evening Mr. Goold was sitting alone in his lodging, and indulging (if it can be called an indulgence) in those depressing reflections upon his future prospects with which the stoutest-hearted junior barrister is occasionally visited, when an English letter was put into his hand. It was from Edmund Burke. It imported that "he had not forgotten Mr. G.'s admirable pamphlet, and that he was most desirous to advance, as far as it in his power lay, the author's fortunes. An occasion appeared to offer. The new viceroy of Ireland was coming, preparatory to his departure for that country, to pass some days at Beaconsfield; and if the demolisher of the ten opponents could contrive, without loss of time, to cross the Channel, and meet his lordship at Mr. Burke's, the happiest results might be anticipated." None but those who know the briskness of Mr. Goold's temperature, even at the present day, can well conceive the delicious perturbation of spirit that must have ensued. The lustre of the invitation itself—the expected glory of being present at conferences where the approaching redress of Irish wrongs was to be freely canvassed—the elevating prospect of being himself officially selected to contribute the aid of his attainments to the labors of a patriotic administration—these and many other bright concomitants had just arranged themselves into a picture almost too dazzling for mortal eye, when one miserable reality intervened like an angry cloud, and the gorgeous imagery faded away into melancholy dimness.

He was under a financial incapacity of complying with the generous proposal of Mr. Burke. He was pondering over this mortifying obstacle, when one of his friends, the late Sir Charles Ormsby, entered the room.

"Was there ever such an unlucky fellow?" said he, handing the letter to Sir Charles. "See there, what an opportunity of making my fortune presents itself; and yet, for want of about a hundred pounds to go over and make a proper appearance at Beaconsfield, I must let it slip."

Sir Charles was not in those days as rich as he subsequently became, but his father was a wealthy and good-natured man



“Go to my father,” said he—“show him the letter, state your situation, and I undertake to say that he’ll accommodate you.”

The experiment succeeded. Mr. Goold flew to Beaconsfield; was too late to catch the Viceroy, who had already set out for Ireland; passed some days with Burke; reposted to Dublin, the bearer of a powerful introduction to the favor of Lord Fitzwilliam; was graciously received, and would in all likelihood have been included in the political arrangements then in progress: but the Beresfords were at work on the other side of the water;\* their fatal counsels prevailed; the patriotic Viceroy was recalled; the doom of Ireland was sealed, and the subject of the present sketch reconsigned to the hard destiny of a legal drudge. Fortunately, however, and honorably for himself, his spirit was too buoyant to sink beneath the disappointment. He betook himself with unabated ardor to his former pursuits. His professional acquirements and efficiency became known; clients poured in upon him; in a few years he was invested with a silk-gown; and had not his political integrity interfered, he would, if current report be true, have before this been seated on the bench.

Sergeant Goold’s practice has been and still is principally in the *nisi-prius* Courts. I have not much to say of his distinctive qualities as a lawyer. He is evidently quite at home in all the points that come into daily question, and he puts them forward boldly and promptly. Here, indeed, as elsewhere, he affects a little too much of omniscience; but unquestionable it is that he knows a great deal. There is not, I apprehend, a single member of his profession less liable to be taken by surprise upon any unexpected point of evidence, or practice, or pleading, the three great departments of our law to which his attention has been chiefly directed. But there is no want of originality in his appearance and manner. His person is below the middle size, and, notwithstanding the wear

\* The Beresfords, members of the Marquis of Waterford’s family, took an active and intolerant part in governing Ireland for forty years before the Union. The cruelties of John Claudius Beresford, during the revolt of 1798, were notorious, enormous, and wanton—almost beyond credibility.—M.

and tear of sixty years, continues compact, elastic, and airy.\* His face, though he sometimes gives a desponding hint that it is not what it was, still attests the credibility of his German adventures. The features are small and regular, and keen without being angular. His manner is all his own. His quick blue eye is in perpetual motion. It does not look upon an object; it pounces upon it. So of the other external signs of character. His body, like his mind, moves at double-quick

\* Charles Phillips describes Goold and Grady as the established and recognised gladiators "of the Irish Court of Common Pleas, over which presided the punning Lord Norbury, with the glow of Bacchus and the cheeks of Æolus"—his Lordship, it should be noted, always puffed, like an asthmatic locomotive, before uttering a joke. "Goold was a little man, well formed, and of considerable accomplishments. Sensitive and fastidious, he acknowledged but one earthly model of perfection, which, however, he viewed with Eastern idolatry, and that was—himself! With the versatility of a Crichton and the politeness of a Chesterfield, all airs and graces, master of everything, and neglecting nothing, he was "himself alone" unapproached and inimitable, *judice* Tom. He not only argued, declaimed and philosophized, better than any one else, but he sang, he danced, he rode, he even brushed his hair so as to set rivalry at defiance. Guileless and harmless vanity! counterpoised by a thousand sterling qualities. He was an excellent Nisi-Prius fencer, and even rose at times to a high order of eloquence. Had Goold been contented with the world's estimate of him as he really was, all would have admitted him to be an eminent man. But he sharpened censure and excited ridicule by aspiring to be what no man ever was—in every art, trade, science, profession, accomplishment, and pursuit under the sun, a *ne plus ultra*. The pitch to which he carried this foible was incredible. Expatiating one day on the risk he ran from a sudden rise of the tide when riding on the North Strand, near Dublin, he assured his hearer, that "had he not been the very best horseman in existence, he must have been drowned; in short never was human being in such danger." His friend replied, "My dear Tom, there was one undoubtedly in still greater, for a poor man was drowned there this morning." "By heaven! sir," bellowed Goold, "I might have been drowned if *I chose*." There is a portrait of Goold in Barrington's Secret Memoirs of the Union (taken about the year 1810), which shows him with handsome and well-cut features, and a very intellectual expression. My own recollection of Goold dates as far back as 1827, when he went the Munster Circuit. I saw him at the Cork assizes. He was then a whitehaired man, small in person, neat in attire, with that certain elegance of manner rarely acquired without familiar mingling in good society, a clear complexion, and very keen eyes. His voice was feeble, and his energy appeared extinct. He was then one of the King's Sergeants, which gave him precedence at the bar, and the lead in all the Crown cases. His income continued, therefore, long after his actual ability to earn it had declined and faded.—M.

time. He darts into court to argue a question of costs with the precipitation of a man rushing to save a beloved child from the flames. This is not trick in him, for among the collateral arts of attracting notice at the Irish bar is that of scouring with breathless speed from court to court, upsetting attorneys' clerks, making panting apologies, with similar manifestations of the counsel's inability to keep pace with the importunate calls of his multitudinous clients.

Sergeant Goold stands too high, and is, I am certain, too proud to think of resorting to these locomotive devices. His impetuosity is pure temperament. In the despatch of business, more especially in the chorus-scenes, where half-a-dozen learned throats are at once clamoring for precedence, he acquits himself with a physical energy that puts him almost upon a par in this respect with that great "lord of misrule" O'Connell himself.

He is to the full as restless, confident, and vociferative, but he is not equally indomitable; and I have some doubts whether with all his bustle and vehemence, he ever ascends to the true sublime of tumult which inspires his learned and unemancipated friend. The latter, who is in himself an ambulatory riot, dashes into a legal affray with the spirit of a bludgeoned hero of a fair, determined to knock down every friend or foe he meets, "for the honor of old Ireland." He has the secret glory too of displaying his athletic capabilities before an audience, by many of whom he knows that he is feared and hated. Sergeant Goold, who has not the same personal incentive, is more measured and courtly in his uproar, and will often, long before his lungs are spent, as if his dignity had taken a sudden fright, declare off abruptly, and invoke the talismanic intercession of the Bench.

Let not the unlearned reader imagine that I am affecting a tone of idle levity. These forensic rants are of daily recurrence; and to have nerves to withstand them is a matter of no little moment to barristers and clients. It is within the sanctuaries of justice that much of the rough work of human concerns is transacted; and the subjects, to be handled well, must be roughly handled. The knave must be vehemently ar-



raigned ; the injured clamorously vindicated ; the factious and dishonest witness tortured and stunned until his soul surrenders the hidden truth. The man who can do this is of value in his calling ; but should his taste recoil from the rude collision, he may still attain to legal distinction by other and less rugged paths—but as he values his interest and fame, let him resign all hope of making a figure in a *nisi-prius* Court.

Sergeant Goold passes in the Irish Courts for an eloquent advocate. In one sense of the word he is so ; for though, far from being a pleasant speaker, and having manifold defects of delivery and action, he still contrives to make a very strong impression upon a jury, where feeling is to be excited, or the understanding forcibly impelled in a particular direction. His faults of manner are angularity, abruptness, and violence. His articulation is rapid and unmusical. His diction has no equability of flow—it bursts out in irregular spirts. But he has a clear head, much experience of human character and passion, and infinite reliance upon himself. His tones, however faulty, are fervid and sincere. His sentiments, though often extravagantly delivered, are bold and natural, and reach the heart. I would describe his ordinary style of addressing a jury by saying, not that it deeply moves them, for that would imply a more regular and finished order of speaking, but that it “stirs them up.” In a word, he hustles through an appeal to the intellect or passions with great ability. He commits many faults of taste, but no essential breach of skill.

The jury are often startled by his detonations, and often join in the general smile that follows those little personal episodes into which the learned Sergeant occasionally diverges ; but, after all, they see that they have before them a man who knows well what he is about. They listen to him with attention and respect ; never suspect that he has the slightest design to puzzle them ; and, when they retire to cool their fancies in the jury-room, feel extremely disposed to agree that the views he had thrown up to them were founded in the justice and good sense of the case.

Mr. Goold sat in the last session of the Irish Parliament. The occasion of his presence there is much to his honor. I

have not heard by what particular influence he was returned. It is sufficient to state that he had already earned a character for talent and public integrity, which pointed him out as a fit person to co-operate in defending the last pass of the Irish Constitution against the meditated surrender by its perfidious guardians.

The secret history of the Union has not yet transpired in all its ignominious details. A work professing to perform such an act of historical vengeance, and emanating from an eye-witness, was undertaken about eighteen years ago. A kind of prefatory volume, taking up the subject at an ominous distance, was published as a specimen. The continuation, or, more strictly speaking, the commencement, was anxiously expected. I have no authority for asserting that there was any tampering with the writer's indignation; but it may be mentioned as a curious coincidence, that the suspension of his design was co-eval with his appointment to be Judge of the Court of Admiralty in Dublin, over which, if there be any truth in the old maxim, "*Major è longinquo reverentia*," he must be allowed to have presided in a style of the most imposing dignity. He has for many years been a resident of France; sometimes, no doubt, sojourning in the Isle of Oleron, where our sea-laws were originally compiled and promulgated by Richard I., and latterly in the town of Boulogne-sur-Mer, where his marine meditations must be greatly assisted by the visible aspect of "*things flotsam, jetsam, and ligan*," to say nothing of the cheering influence of an occasional wreck, in reminding him of the convenience of judicial functions that can be performed by deputy.\*

\* Mr. Sheil appears to have literally stated this "without the book." The publication to which he alludes, was in quarto form, with several fine portraits well engraved, and as many as six parts or *livraisons* were published, making three hundred and two pages in all. The first part appeared in June, 1809 (with a preface signed by the author, who dated from Merrion Square, Dublin), and the sixth part was published in March, 1815. The actual title of the book is as follows: "The Historic Memoirs of the Legislative Union between Great Britain and Ireland; by Sir Jonah Barrington, one of his Majesty's Council at Law, Judge of the High Court of Admiralty in Ireland, and Member of the late Irish Parliament for the Cities of Tuam and Clogher." In point of fact

Had Sir Jonah Barrington persevered in his design, he would have had some strange things to tell of the honorable

he was made Judge two years before the appearance of the first number of his book. There was an interval of seventeen years between Part VI. and the conclusion. He stated that this delay was caused, not by himself, as the book had long been completed, but by three several booksellers, who undertook to publish it, having become bankrupt. As the republication, in New York, of the clever and popular "Personal Sketches of his Own Times," has recently drawn attention to Sir Jonah Barrington, I shall give his memoir, which is not to be found in any Biographical Dictionary. The *Gentleman's Magazine* (of London) when it announced his death, promised a biography, but never gave one.—Sir Jonah Barrington, born in Ireland, in 1767, was called to the Irish Bar in 1788, entered Parliament as member for Tuam, in 1790, and directly opposed Grattan and Curran—a proceeding which, in riper years, he described as "true arrogance." In 1793, as a reward for his subservience to the Government, he was appointed to a sinecure in the Dublin Custom-House, worth one thousand pounds sterling a year. He was also made King's Counsel, though only five years at the bar. He says that, in 1799, Lord Castlereagh promised to make him Solicitor-General, but afterward refused to do so, on finding that he was resolved to oppose the Union. He stood candidate for Dublin, in 1803, where he was popular because he had latterly opposed the hated Lord Clare, and the first four persons who voted for him were Grattan, Curran, Ponsonby, and Plunket; after a prolonged contest of fifteen days (the time of polling is now limited to one) he lost his election. He was made Judge of the High Court of Admiralty in Ireland, and knighted in 1807. He published a portion of his "Historic Memoir of the Union," between 1809 and 1815, and went to France in the latter year, being in Paris during Napoleon's "Hundred Days." From that time, owing to pecuniary difficulties, he continued to reside in France, discharging the duties of his judgeship by deputy. In 1827, he published the "Personal Sketches of his Own Times," which has had great popularity wherever English books are read. In the House of Commons, in 1830, a serious charge of malversation (applying to his own use funds belonging to private parties, under the Admiralty laws), and it was reported to the House by a committee of inquiry that the charge was proven. On this, both Houses of Parliament joined in an address to the Crown to remove him from his high office—he had failed in an attempt to disprove the charge in person before the House of Lords—and he was removed accordingly. Shortly after this, he published the remainder of his suspended Memoirs and Anecdotes of the Union, and its details are the fullest and most exact yet made public. He died at Versailles, April 8, 1834. Barrington was a witty, shrewd, and companionable man. His personal sketches are full of lively incident. Of his oral *facetie* the following is a specimen: Once, amid the ruins of a cathedral, somebody asked what the *nave* of the church was? "The incumbent, to be sure," said Barrington. When the clergyman heard of it he observed that "Sir Jonah had given a *key* (k) to the question."—M.



gentlemen who sold their country. There was much, however, that could not be concealed. The measure, smoothed and varnished as it might be to meet the public eye, retained all the coarse and disgusting outlines of an Irish job. It was proposed in 1799, and rejected.

The following year, the proposition was renewed and carried. In the interval, wonders had been done in the way of an amicable arrangement. The predatory rights of an Irish representative were duly considered and admitted. A vote and its concomitant privileges were not now to be estimated at the old market-price of seven years' purchase, but, being to be bought up in perpetuity, a just and commensurate equivalent was allowed to meet the increased cost of a majority, all kinds of compensation in possession and reversion were forthcoming.\* Peerages were given down. The Bench was mortgaged. The earnest of a pension was advanced to soothe the impatience of the reversionary placeman. Boroughs were declared<sup>\*</sup> to be private property, and so excellent and certain a provision for the patron's younger children, that it would be a violation of all justice to exact their gratuitous surrender. Their pecuniary value was ascertained, and the public faith solemnly pledged to treat a customary breach of the constitution (a title to property of which Blackstone never dreamed) as one that by "the courtesy of Ireland" gave the prescriptive offender an equitable interest in its continuance.†

\* Numerous anecdotes of the legislative higgling on this occasion are current in Ireland—some of them sufficiently dramatic. One member, for example, tendered his terms. They were accepted, and a verbal promise given that the contract should be faithfully observed. He insisted upon a written guaranty. This was refused, and the treaty broken off. The member went down to the house, and vented a virtuous harangue against the proposed measure. As soon as he sat down, the written security was handed to him. He put it in his pocket, voted against his speech, and was in due season appointed to a lucrative office which he still enjoys, defying the historian and laughing at the notion of posthumous fame.

† By the Act of Union, eighty-four boroughs were disfranchised. Remuneration, to the amount of fifteen thousand pounds sterling each, was voted to the patrons. In the debate on the latter point, one of Lord Castlereagh's arguments was that the patrons could not have been brought to enter upon "a cool examination," of the general question, had not their fears for their personal in

These are but a few specimens of the means resorted to in order to precipitate a measure that was announced in all the pomp of prophetic assertion, as the sure and only means of conferring prosperity and repose upon the Irish nation: and were it not for certain counteracting circumstances, such as — the nightly incursions of Captain Rock; the periodical eclipses of the Constitution by the intervention of the Insurrection Act; a pretty general insecurity of life and property; the decay of public spirit; the growth of faction; a weekly list of insolvencies, murders, conflagrations, and letters from Sir Harcourt Lees, unprecedented in the annals of a happy country — but for these, and similar visitations, all originating in the comprehensive and inscrutable efforts of the prophets themselves to falsify their prediction, the Union, notwithstanding the demerits of its supporters, might long since have ceased to be a standing topic of popular execration.

The disasters that, in point of fact, have followed, were pretty accurately foreseen by the men who opposed this much-vaunted measure. They failed, but they did their duty fearlessly and well, and not one of them, it is but just to say, in a spirit of more entire self-oblivion, and more earnest sensibility to his public duties, than the person whose name is prefixed to the present article. His manly and upright conduct, as usual in Ireland, excited deep and lasting resentment. He was stigmatized as an honest Irishman, and, disdaining to atone by after-compliances for his original offence, had to encounter all those impediments to professional advancement which systematically followed so obnoxious a disqualification.

Here I had intended to close my observations upon Sergeant Goold; but it occurs to me that there remains one topic, not, indeed, connected with his professional life, but of so much

terests been set at rest by a certainty of compensation. The injustice of annihilating provisions in family settlements resting upon the security of boroughs was also insisted on. I like better the stern logic of Mr. Saurin; "There can be no injustice in denying property to be acquired by acts which the law declares to be a crime. As well might the highwayman, upon a public road being stopt up, exclaim against the disturbance of his right to plunder the passengers." [The actual sum paid away, as "compensation," to the patrons of Irish boroughs, at the Union, was over one and a half million pounds sterling.—M.]

notoriety, and to this day so often canvassed, that a total silence upon it might be misconstrued. I allude to the evidence which he gave in the year 1818, at the bar of the House of Commons, upon the inquiry into the conduct of Mr. Wyndham Quin.\* An imputation was cast upon his character at the time; and though stifled, as far as it could be, by the vote of an immense majority of the House, it has not wanted external support in that uncharitable spirit, which is ever ready to pronounce a summary verdict of conviction, upon no other foundation than the fact of a charge having been made.

I have now before me the report of the debates, and the minutes of the evidence in question. The latter are so voluminous, that it would be altogether unjust to the party concerned, to propose repelling the accusation by any analysis and comments that could be condensed into my present limits. I can merely state the general conclusion, to which I have come upon a minute examination and comparison of the several parts of the evidence; and that is my full and unhesitating conviction, that Mr. Goold was as incapable as the most high-minded of his accusers, of intentionally withholding or misrepresenting a single fact which he was called upon to disclose. He was, I admit, what is technically called "a bad witness;" barristers are proverbially so (instead of an answer they give a speech). Mr. Goold, from his habits and temperament, is peculiarly so. Upon every matter, great and small, he is hot and hasty; and announces his views with the tone and temper of a partisan. It is a part of the constitution of his mind, to have an undue confidence in the infallibility of his faculties and the importance of his personal concerns. All this broke out, as it does everywhere else, at the bar of the House of Commons: he could no more repress it than he

\* Goold, when examined as a witness in the Limerick Election case, answered so vaguely, and confusedly, that his statement appeared full of discrepancies. The Election Committee reported him guilty of prevarication—a serious charge against a man of his standing at the bar and in society. The result was that he was thenceforth passed over in all law appointments. Previously, his elevation to the bench was considered certain. Goold eventually became Master in Chancery (a sort of legal sinecure in his case), and died at a very advanced age.—M.



could the movement of his arteries; and the effect upon the minds of strangers to his peculiarities may naturally enough have been unfavorable: but when the question arisen is a denial of a collateral and unessential matter of fact, a lapse of memory, or a meditated suppression, surely every one, who would not wantonly shake the stability of character, should feel bound to put the tenor of a long and honorable life against a most improbable supposition.

This was the view taken by those who knew him best: among the rest, by the late Mr. Grattan, whose friendship alone formed high evidence of a spotless reputation. For thirty years Mr. Grattan had been his intimate friend, and had seen him pass through the ordeal of times which tried, as far as any earthly process can try, the worth and honor of a man: and what was his impassioned exclamation? "Mr. Goold is thoroughly known to me. I would stake my existence upon his integrity, as I would upon my own. If he is not to be trusted, I know not who is to be trusted!" To this attestation, and its inference, I can not but cordially subscribe.

## JOHN HENRY NORTH.

I LOOK upon MR. NORTH to be in several respects a very interesting person. He is immediately so by the great respectability of his character and talents. He is at the same time a subject that less directly invites the attention and speculation of an observer, in consequence of certain predicaments of situation and feeling, upon which his lot has cast him, and in discussing which the mind must, of necessity, ascend from the qualities and the fortunes of the individual to considerations of a higher and more lasting concern. If I were to treat of him solely as a practising barrister, possessed of certain legal attributes, and having reached a determined station, the task would be short and simple. But this would be unjust. Mr. North's mind and acquirements, and, it may be added, his personal history, entitle him to a more extended notice, and, in some points of view, to greater commendation, not unmingled, however, with occasional regrets, than his merely forensic career would claim.

It is now about fifteen years since Mr. North was called to the Irish bar.\* He was called, not merely by the bench of

\* John Henry North, born in 1789, went through Trinity College, Dublin, with brilliant success, obtaining such distinctions there that no one for a century had a higher collegiate reputation. In 1811, he was called to the bar, and immediately established a name for eloquence and legal acumen. He was married in 1818, to the sister of John Leslie Foster, afterward a Judge, and a near relative of Lord Oriel. Mr. North, whose character for oratory was very high, was brought into Parliament, in 1824, for an English borough, by Canning, to whom he was known. He was returned for an Irish borough in 1831, and by no means equalled the expectations of his political friends. In 1830, on the removal of Sir Jonah Barrington, the office of Judge of the Admiralty

legal elders performing the technical ceremony of investment, but by the unanimous voices of a host of admiring friends, so numerous as to be in themselves a little public, who fondly predicted that his career would form a new and brilliant era in the annals of Irish oratory. This feeling was not an absurd and groundless partiality. There was, in truth, no previous instance of a young man making his entry into the Four Courts, under circumstances so imposing and prophetic of a high destination. He had already earned the fame of being destined to be famous. In his college course he had outstripped every competitor. He there obtained an *optime*—an attestation of rare occurrence, and to be extorted only by merit of the highest order in all of the several classical and scientific departments, upon which the intellect of the student is made to sustain a public scrutiny into the extent of its powers and attainments.

The Historical Society was not yet suppressed.\* Mr. North was accounted its most shining ornament. It was an established custom that each of its periodical sessions should be

Court in Ireland was conferred upon Mr. North, by the Duke of Wellington. When the Reform Bill was brought forward by Earl Grey's administration, its details were opposed by Mr. North, who considered it a revolutionary measure; Canning whose politics he held, had always opposed Parliamentary Reform. Mr. North died in September, 1831, at the early age of forty-two.

\* The Historical Society, long connected with the University of Dublin, was at once the nursery and the school of Irish Eloquence. There some of the great men who have made history, learned the difficult task of public speaking, which has been well defined to be the *art of thinking on one's legs*. In that arena, Sheil himself was schooled in rhetoric. Among the later orators in this Society were Charles Wolfe, author of the noble lyric, "Not a drum was heard," in which he described the burial of Sir John Moore, who fell, in January, 1809, during the retreat at Corunna. The liberal principles professed and vindicated in the Historical Society, induced the University authorities first to discountenance it, next to restrict its license, then to drive it out of connection with the College, and finally to suppress it. The Speculative Society of Edinburgh, of which an account is given in Lockhart's "Life of Scott"—the place where Jeffrey, Brougham, and their compeers, learned to be eloquent—appears to have much resembled the Historical Society of Dublin. So, also, to this hour, are the Debating Clubs (called "The Union"), at the Universities of Oxford and Cambridge, where Heber and Gladstone, as well as Macaulay and Bulwer, first gained distinction among their fellows.—M.



closed by a parting address from the chair, reviewing and commending the objects of the institution. The task, as a mark of honor, was assigned to Mr. North. It was the last of his academic efforts, and is still referred to by those who heard him, as a rare and felicitous example of youthful enthusiasm for eloquence and letters, soaring above the commonplaces of panegyric, and dignifying its raptures by the most luminous views, and by illustrations drawn from the resources of a pure and lofty imagination. It was pronounced to be a masterpiece, and the author urged to extend the circle of his admirers by consenting to its publication. But he had the modesty or the discretion to refuse; and the public were deprived of a composition which, whatever might be its other merits, would at least have told as a glowing satire upon the miserable, monastic spirit, that soon after abolished the Historical Society as a perilous innovation upon the primitive objects of the royal foundress of Trinity College. It is edifying to add, that John Locke's Treatise on Government was also pronounced to inspire doctrines that would have met no countenance "in the golden days of good Queen Bess;" and as such, was expelled from the college course.

Mr. North's talents for public speaking were further exercised, and with increasing reputation, in the Academical Society of London. The impression that he made there attracted numerous visitors. He had now to stand the brunt of an audience little predisposed to be fascinated by provincial declamation. But the severest judges of Irish oratory admitted that his was copious, brilliant, and, best of all, correct. He was pronounced by some to be fitted for the highest purposes of the senate. It was even whispered that a ministerial member (a fortunate emigrant from Ireland, who had lately proved his capacity for less delicate commissions), had been secretly deputed from Downing street\* to "look in" at the academies,

\* Downing street in London is a *cul-de-sac* in Parliament street, close to the Horse-Guards, and in the vicinity of the Legislature. The principal offices of the State Administration are in this street—or rather *were*, as they have lately been much increased, and their principal *façade* (which has many architectural beauties, and was erected by Sir Charles Barry, the architect of the New Houses of Parliament) is in Whitehall. The Colonial and Foreign Offi-

and report upon the expediency of tendering a borough and a place to the youthful orator. But whether it was that the honorable and learned missionary had no taste for a style of eloquence above his own; or that he missed that native audacity which he could so well appreciate; or that he had the shrewdness to infer, from certain popular tendencies in the speaker's cast of thought, that he might turn out not to be a marketable man—the experiment upon Mr. North's virgin ambition, if ever meditated, was not exposed to the risk of failure. The murmur, however, ran that such a proposal had been in agitation. Mr. North's growing celebrity had all the benefit of the rumor; and when he shortly after appeared in the Irish Hall, he was considered to have perched upon that bleak and arid waste as upon a mere place of passage, whence, at the expected season of transmigration, he was to wing his flight to a brighter and more congenial clime. This latter event, however, contrary to the calculations and wishes of all who knew him, was for years delayed. It is only the other day that Mr. North has at length been summoned to the Senate.\*

In the interval, his progress at the bar, however flattering it might be to a person of ordinary pretensions, has not realized the auspicious anticipations under which his coming was announced. Wherever he has been tried, he has proved his legal competency. In some of the qualifications for professional eminence, and, among them, those in which a proud but unambitious man would most desire to excel—in a sound and comprehensive knowledge of general principles, and a facility of developing them in lucid and imposing language, he need not shrink from a comparison with a single contemporary rival.

ces are in Downing street: the Home and Council Offices, with the Board of Trade, the Commissioners of Education, Treasury, and Woods and Forests, are in Whitehall, in connection with Downing street. The War Office and the Admiralty are between the Treasury buildings and Charing-Cross.—M.

\* Mr. North first was returned in 1825, for Milbourne Port, a small borough under the influence of the Marquis of Anglesey, who was then in friendly relations with Canning, under whom he held office two years later. Milbourne Port (which was disfranchised in 1832, by the Reform Bill) was represented, in 1830-'31, by Mr. Sheil.—M.

In others, and especially in the rarer and higher art of kindling and controlling the passions of an auditory, he has not hitherto answered to the prophetic hopes by which he was "set like a man divine above them all;" while, in respect of that extra-forensic and general importance which a person so gifted might, it was imagined, so rapidly attain, he has been altogether stationary. When he first appeared to public view, he lighted upon a pedestal, and the pedestal and the statue remain where they were. The question is often asked by others (and I doubt not by himself), "How has this come to pass?" It is one involving matters of general interest to all who embark in public life; and I shall endeavor, as I proceed, to offer a few such incidental hints, as, when collected, may supply a satisfactory answer.

The early admirers of this accomplished young man were fully warranted at the time in their praises and predictions. His mind was one of rapid growth, and put forth in its first-fruits the same qualities, in both kind and degree, which are the subject of just admiration at the present day. His intellect is singularly sound and clear. For the acquirement of knowledge, it may be said to be nearly perfect. It is vigorous, cautious, and comprehensive. The power of attention, that master-key to science, is under his absolute control. Whatever is capable of demonstration is within his grasp. Give him any system to explore, and no matter how intricate the paths, wherever a discoverer has gone before, he will be sure to follow in his track. His understanding, in a word, is eminently docile; at least so I would infer from the early extent and rapidity of his scientific attainments, and from the habits of order and perspicacity with which he has mastered the less manageable dogmas of our national jurisprudence.

In the power of imparting what he has thus acquired, Mr. North has also much that is uncommon. One qualification of a speaker he possesses in an extraordinary degree. For extemporaneous correctness and copiousness of phrase, I would place him in the very highest rank. All that he utters, wherever the occasion justifies the excitement of his faculties, might be safely printed without revision. Period after period



rolls on, stately, measured, and complete. There is a paternal solicitude—perhaps a slight tinge of aristocratic pride, in his determination that the children of his fancy should appear abroad in no vulgar garb. He is not like O'Connell, who, with the improvidence of his country, has no compunction in flinging a brood of robust young thoughts upon the world without a rag to cover them.\* Mr. North's are all tastefully

\* O'Connell had wonderful versatility as a speaker. He literally acted on the advice of St. Paul, and was "all things to all men." In a Court of Law, he occasionally joked with a jury, dragged them into his view of the case, by subtle argument, strong declamation, and an irresistibly natural manner. At a political meeting, where he spoke to the multitude, he alternately made them smile or get enraged, as he jested or moved their feelings. In Parliament, which he did not enter until he was fifty-four years old, he was calm, more subdued, more careful, more solicitous in his choice of words, and his manner of delivering them. He made some lucky hits, too, which amused the members. Such was his allusion to Mr. Walter, of the Times newspaper, who retained his seat on the Government side of the House, in 1835, after his Tory friends had crossed back to the opposition benches. O'Connell turning to him, apostrophized him as

"The last rose of Summer  
Left blooming alone,  
All its lovely companions  
Are faded or gone!"

So, also, when sneering at the few adherents who sided with Lord Stanley (now Earl of Derby), in 1834, when he seceded from the Grey Ministry, he quoted two lines from Darwin—

"Thus down thy hill, romantic Asbourne, glides  
The *Derby dilly*, carrying six insides."

And his parody on the three militia Colonels—Percival, Verner, and Sibthorpe, who were respectively brazen, intolerant, and hirsute:—

"Three Colonels, in three distant counties born  
Sligo, Armagh, and Lincoln, did adorn.  
The first in matchless impudence surpassed,  
The next in bigotry—in both, the last.  
The force of Nature could no farther go—  
To beard the third, she sheared the other two!"

As a parliamentary speaker, independent of his readiness and ability, O'Connell had immense weight from his position as the "Member of all Ireland," actually carrying with him the votes of nearly one half the Irish members. But Sheil, as an orator, was listened to with more attention and delight. The moment his shrill voice was heard, all was fixed attention and eager expectation, for every one knew that a great intellectual treat was at hand.-- M

and comfortably clad. But this extraordinary care is unmarked by any laborious effort. In the article of stores of diction, his mind is evidently in affluent circumstances, and betrays no lurking apprehension that the demands upon it may exceed his resources. There are no ostentatious bursts of unwonted expenditure to keep up the reputation of his solvency. Sentence after sentence is disbursed with the familiar air of unconcern which marks the possessor of the amplest funds.

With qualifications such as these, unequivocally manifested at a very early age, and aided by a graceful and imposing manner and a personal character which stamped a credit upon all he uttered, and these natural excellences stimulated by a generous ambition to answer the general call that was made upon him to be a foremost man in his day, it was naturally to be anticipated that Mr. North would do great things; but his endowments, however rare, have been greatly marred, as to all the purposes of his fame, by a radical defect of temperament, to the chilling influence of which I can trace the failure of the splendid hopes that attended his entrance upon public life. Mr. North has abundant strength of intellect, but he has not equal energy of will. His mind wants boldness and determination of character. It wants that hardihood of purpose and contempt of consequences, without which nothing great in thought or action can be accomplished. He is trammelled by a fastidious taste, and by a disastrous deference to every petty opinion that may be pronounced upon him. He sacrifices his fame to his dignity. Fame, he should have remembered, is like other fair ladies, and faint heart never won her. Like the rest, she must be warmly and importunately wooed. He shrinks, however, from the notion of committing himself as her suitor, except upon a classical occasion.

I have been often asked "if I considered Mr. North to be a man of genius?" My answer has been, "He would be, if he dared." If it were possible to transfuse into his system a few quarts of that impetuous Irish blood which revels in O'Connell's veins—if he could be brought to bestir himself and burst asunder the conventional fetters that enchain his spirit, he has many of the other qualities that would entitle him to

that envied appellation. But as it is, his powers are enthralled in a state of magnetic suspension between the conflicting influences of his ambition and his apprehensions. With all the desiré in the world to be an eminent man, and conscious that the elements of greatness are within him, one of its most necessary attributes he still is without—a sentiment of masculine self-reliance, and along with it a calm and settled disdain for the approbation of little friends, and the censure of little enemies, and the murmurs of the tea-table, and the mock-heroic gravity with which mediocrity is ever sure to frown upon a style of language or conduct above its comprehension. Hence it is, that he has never yet redeemed the pledges of his youth. In his public displays, which, from the same scrupulous taste, have been far more unfrequent than they ought, he has been copious, graceful, instructive, and, in general, almost faultless to a fault. But the lofty spirit of heroic oratory was wanting—"there was no pride nor passion there." He is so afraid of "tearing a passion to tatters," he'll scarcely venture to touch it. He distrusts even light from heaven for fear it should lead astray.

I am far from attributing these deficiencies to any inherent incapacity of lofty emotions in Mr. North; I should rather say that he has been in some sort the spoiled child of premature renown. The applause that followed his first attempts taught him too soon to propose himself as a model to himself, and to shudder at the danger of degenerating from that ideal standard. He speculated "too curiously" upon how much character he might lose, without considering how much more might yet be gained. In this respect he arrived too soon at his years of discretion. His mind seems also to have early imbibed an undue predilection for the mere elegancies of life, and for external circumstances as connected with them. In spite of his better opinions on the subject of human rights, I am not sure that his heart would not beat as high and quick at the pageantry of a Coronation, as at the demolition of a Bastille. In matters of literature, too, I would almost venture to say that what in secret delights him most, is not the bold, impassioned, and agitating, but the gentle and diffuse: that he likes



not the shock of those tempests of thought that purify the mental atmosphere, chasing away the collected clouds, and tearing up our sturdiest prejudices by the roots, but rather prefers to repose his spirit in the midst of those quiet reveries where no favorite opinion is in danger of being shaken. Instead of ascending to the mountain-tops with the hardy speculator, he would rather linger among the charms of the cultivated plain with the meek essayist—where, sauntering along through scenes of security and repose, with all harsher objects excluded from the view, and nothing around but sweet sights, sweet smells, and pleasant noises, becalming every sense, the pensive soul, forgetting, for the moment, the world and its ways, is lulled to rest, and dreams that all is right.

Mr. North would have written the most beautiful letters in the world from the Lake of Geneva, and not the less so from the inspiring influence of an elegant residence on its banks. His speeches savor of the particular tastes I have been describing. There is too much of the equanimity of literature about them—too little of the ardor and impetuosity of passion speaking *viva voce*. They rather resemble high-wrought academic effusions, stately, orderly, and chaste, and having also the coldness of chastity, than the glowing eruptions of a mind on fire, warming and illuminating whatever comes within its range. To conclude, Mr. North is a proficient in the formal parts of the higher order of oratory—in diction—arrangement—the selection and command of topics—delivery—action—but (to adopt some hackneyed illustrations) in the same degree as moonlight differs from the splendor of the sun, pearl from diamond, silver from gold, the scented and well-trimmed shrubbery from the majestic forest, the placid waters of the lake from the impetuous heavings of “old ocean,” so may he be said to fall short of first-rate excellence in the art of speaking.

From my observations upon Mr. North’s mind, neutralized as he has permitted it to become, I should say that now his chief strength lies in sarcasm, and in that species of humor which consists of felicitous combinations of mock-heroic imagery and gorgeous diction, descriptive of the feelings and

situation of the object ridiculed;—and yet he has employed his powers in this respect so sparingly, that I have some doubts whether he be fully aware of their extent. I have not heard that he gave any early indications of this talent; and though at first view it may appear to be at variance with the leading propensities of his mind, I do not conceive it difficult to account for its existence. On the contrary, it seems natural enough that a person gifted with powers of language and imagination, but of too timid a taste to risk them upon sincere and serious trains of sentiment, should resort to ridicule, and to that particular kind, to which I have just adverted. Such a person feels what an awful thing it is to be accountable to a sneering public, for the appropriateness of every generous thought and glowing illustration into which a well-meaning but too fervid enthusiasm may betray him. The incessant recollection of the proximity of the ludicrous to the sublime, appals and paralyzes him; but give him an adversary whose motives and reasonings and language are to be travestied, and the spell that bound his faculties is dissolved. Here, where every exaggeration has a charm, he ventures to give full scope to his fancy. The very temper of mind that renders him sensitive and wary when he speaks in his own person, suggests the boldest images, and the more grotesque they are the better, when by a rhetorical contrivance the whole responsibility of them is, as it were, shifted upon the shoulders of another. I would almost venture to predict, that it is this way Mr. North will make himself most felt in the House of Commons.\* He has the classic authority of Mr. Canning, for proposing as a subject the Duigenan redivivus of the House; but I have my fears that he will select a nobler mark than Master Ellis.† I

\* The expectations of Mr. North's friends were by no means realized. He did not cut a figure in Parliament, and is said to have severely and painfully been aware of the fact.—M.

† A gentleman named Ellis, who held the office of Master in Chancery, and, from his office, was called "Master Ellis," had been elected member for Dublin, some short time previous to the publication of this sketch, and considerable dissatisfaction was excited thereby, as it was considered next to impossible that he could attend to his Parliamentary duties in London and his legal duties in Dublin, at one and the same time. An act was subsequently passed extend-

therefore caution my Opposition friends, and especially Mr. Hume, to be on their guard.

Mr. North's exterior has nothing very striking; his frame is of the middle size and slender, his features small and pallid, and unmarked by any prominent expression, save those habitual signs of exhaustion, from which so few of the occupied members of his profession are exempt. If he were a stranger to me, I should pass him by without observation, but, knowing who he is, and feeling what he might be, I find his face to be far from a blank. Upon examination, it presents an aspect of still and steady thoughtfulness, with that peculiar curve about the lips when he smiles (as he often does) which imports a refined but too fastidious taste. When the countenance is in repose, I fancy that I can also catch there a trace of languor, such as succeeds a course of struggles where high and early hopes had been embarked, while a tinge of melancholy, so slight as to be dispersed by the feeblest gleam, but still returning and settling there, tells me that some and the most cherished of them have been disappointed. I confess that I respect Mr. North too much to regret those indications of a secret dissatisfaction with his condition; and more especially, because in him they are entirely free from the ordinary fretfulness and acrimony of mortified ambition. He is too considerate and just to wage a splenetic warfare with the world because all the bright visions of his youth have not been realized; and he is still too young and too cautious of his capacity to be irretrievably depressed when reminded by others or by himself, that hitherto Fame has only spoken of him in whispers, and that much must be done in both intellect and action, before the glorious clang of her trumpet shall rejoice his ear.

These allusions to Mr. North's omissions as a public man, are offered in no unfriendly spirit. If I looked upon him as an ordinary person, I should say at once of him, that he has well

ing to Irish Masters in Chancery the prohibition of sitting in Parliament imposed upon persons of like rank in England. Mr. Ellis was recommended to the Church and State corporation of Dublin, solely by his illiberal opinions and intolerant principles. He was a bigot in politics as well as in religion — servitor worthy of such masters as formed the Dublin Corporation thirty years ago.—M.



fulfilled the task assigned him. He has won his way to a respectable station in a most precarious profession; enjoys considerable estimation for general talent, and is cordially honored by all who know him, for the undeviating dignity and purity of his private life. But from those to whom much is given much is exacted. My quarrel with Mr. North is, that living under a system teeming with abuses, and loudly calling upon a man of his character and abilities to interpose their influence, he should have consented to keep aloof a neutral and acquiescent spectator. For fifteen long years, a liberal and enlightened Irishman, seeing with his own eyes what an English barber could not read of without contempt for the nation that endured, and not to have left a single document of his indignation!—not a speech, not a pamphlet, not an article in a periodical publication—not even that forlorn hope of a maltreated cause, a well-penned protesting resolution! What availed it to his country that he was known to be a friend of toleration, if his co-operation was withheld upon every occasion where his presence would have inspired confidence, and his example have acted as a salutary incitement to others? What, that his theories upon the question of free discussion were understood to be manly and just, if, after having witnessed the irruption of an armed soldiery into a legal meeting, and being himself among the dispersed at the point of the bayonet, he had the morbid patience to be silent under the affront to the laws, paying such homage to the times as scarcely to

“Hint his abhorrence in a languid sneer.”

His learning, too, his literary and philosophic stores, things so much wanted in Ireland—where has he left a vestige of their existence, so as to justify the most flattering of his friends in saying to him, “You have not lived in vain, and should you unfortunately be removed before your time, your country will miss you?”

This is what I complain of and deplore; and these sentiments are strong in proportion to my estimate of his latent value, and my genuine concern for the interests of his fame; for, in the midst of my reproaches, I see so much to admire and

respect in him, he is of so meek a carriage, and has about him so much of the gentleman and the scholar, that I can not divest myself of a certain feeling of almost individual regard. Nor, in putting the matter thus, am I aware that I make any unreasonable exactions. At particular seasons, his profession, no doubt, must demand his undivided care : but there are intervals which, with a mind full as Mr. North's is, might have been, and may still be, dedicated to honorable uses. There are not wanting contemporary precedents to show what the incidental labors of a lawyer may accomplish, in science, in letters, in public spirit. Let him look to Mr. Brougham, to the versatility of his pursuits, and the varieties of his fame—the Courts, the House of Commons, and the “Edinburgh Review;” to Denman, Williams, and many others of the English bar, eminent or on the road to eminence in their profession, and patriotic and instructive in their leisure;\* or (a more pregnant instance still), let him turn to the Scotch, those hardy and indefatigable workers for their own and their country's renown. There is Jeffrey, Cockburn, Cranstoun, Murray, Moncrief, great advocates every man of them : the first the creator and responsible sustainer of the noblest critical publication of the age ; the others ardent and important helpmates, and all of them finding it practicable, amid their regular and collateral pursuits, to take an active lead in the popular assemblies of the north.† These men, whom energy and ambition have made what they are, may be used in other respects as a great example. Under circumstances peculiarly adverse to all who disdained to stoop, they never struck to the opinions of the day; but, confiding in themselves, were as stern and uncompromising in their conduct as in their maxims—yet are they all prosperous and respected, and for-

\* The principal counsel in defence of Queen Caroline (wife of George IV.), proceeded against by a Bill of Pains and Penalties in 1820, were Henry Brougham, her Attorney-General; Thomas Denman, her Solicitor-General; Stephen Lushington, and John Williams. The first became Lord Brougham, and Lord Chancellor of England; the second, Lord Denman, Chief Justice of the King's Bench; the third, Judge of the Consistory and Admiralty Courts (which he still is); and the last (now dead) one of the *puisne* Judges.—M.

† All of these eminent lawyers subsequently became Judges in Scotland—or Lords of Session, as they are called.—M.

midable to all by whom a high-spirited man would desire to be feared.

I see but one plausible excuse for the course of political quietude to which Mr. North so perseveringly adhered, and in fairness I should not suppress it. It was his fate to have commenced his career under the Saurin dynasty. Things are something better now; but, some twelve or fifteen years ago, wo betided the patriotic wight of the dominant creed who should venture to whisper to the public that all was not unquestionable wisdom and justice in the ways of that potent and inscrutable gentleman! The opposition of a Catholic was far less resented. The latter was a condemned spirit, shorn of all effective strength, and was suffered to flounder away impotent and unheeded in the penal abyss; but for a Protestant, and, more than all, a Protestant barrister, to question the infinite perfection of the Attorney-General's dispensations, was monstrous, blasphemous, and punishable—and punished the culprit was. All the loyal powers of the land sprang with instinctive co-operation to avenge the outrage upon their chief and themselves. The loyal gates of the Castle were slapped in his face. The loyal club to which he claimed admission, buried his pretensions under a shower of black-beans. The loyal attorney suspected his competency, and withheld his confidence. The loyal discounter declined to respect his name upon a bill. The loyal friend, as he passed him in the streets, exchanged the old, familiar, cordial greeting, for a penal nod. In every quarter, in every way, it was practically impressed upon him that Irish virtue must be its own reward. Even the women, those soothers of the cares of life, whose approbation an eminent French philosopher has classed among the most powerful incentives to heroical exertion—even they, merging the charities of their sex in their higher duties to the state, volunteered their services as avenging angels. The teapot trembled in the hand of the loyal matron as she poured forth its contents, and along with it her superfine abhorrence of the low-lived incendiary; while the fair daughters of ascendancy grouped around, admitted his delinquency with a responsive shudder; and vowed in their pretty souls to make his charac-



ter, whenever it should come across them, feel the bitter consequences of his political aberrations. All this was formidable enough to common men. Mr. North was strong enough to have faced and vanquished it. Instead of fearing to provoke the persecuting spirit of the times, he might have securely welcomed it as the most unerring evidence of his importance.

Having said so much, I am bound to add that the foregoing observations have not the remotest reference to Mr. North's conduct at the bar. There he is entitled to the highest praise, and I give it heartily, for his erect and honorable deportment in the public and (an equal test of an elevated spirit) in the private details of his profession. The most conspicuous occasion upon which he has yet appeared was on the trial of the political rioters at the Dublin theatre.\* It was altogether a singular scene—presenting a fantastic medley of combinations and contradictions, such as nothing but the shuffling of Irish events could bring together: a band of inveterate loyalists brought to the bar of justice for a public outrage upon the person of the King's representative; an Attorney-General prosecuting on behalf of one part of the state, and the other exulting with all their souls at the prospect of his failure; a popular Irish bench; an acquitting Irish jury; and, finally, the professional confidant of the Orange Lodges—the chosen defender of their acts and doctrines, Mr. North. It would be difficult to conceive a more perplexing office. He discharged it, however, with great talent and (what I apprehend was less expected) consummate boldness. As a production of eloquence, his address to the jury contained no specimens of first-rate ex-

\* When the Marquis Wellesley was made Viceroy of Ireland, in 1821, the liberality of his opinions and his known desire that the Roman Catholic disabilities should be removed rendered him obnoxious to the "Protestant Ascendancy" or Corporation and Orange party. Some ruffians belonging to this party threw a bottle at Lord Wellesley, in Dublin theatre, and bills of indictment were preferred against certain persons apprehended on a charge of complicity in this affair. The Grand Jury (also Orange) ignored the bills. The Government lawyer then proceeded *ex-officio*—a course wholly independent of grand juries—but got frightened, as the trial approached, and the charge fell to the ground, thereby giving a great triumph to the Corporation and their satellites.—M.

cellence, but many that were not far below it; while his general line of argument, and his manner of conducting it, gave signs of a spirit and power from which I would infer, that, should State Trials unfortunately become frequent in Ireland during his continuance at the bar, he is destined to make no inconsiderable figure as a leading counsel for the defences. The Williamites were grateful for the effort, and greeted their successful advocate with enthusiastic cheers on his exit from the Court. This was, I believe, the only public homage of the kind that Mr. North had ever received; and, however welcome at the moment, could scarcely fail to be followed by a sentiment of sadness, when he reflected upon the untowardness of the fate which doomed his name to be for the first time exalted to the skies on the yell of a malignant faction that he must have detested and despised.

The preceding views of Mr. North's intellectual characteristics were formed, and in substance committed to paper, before his recent appearance in the House of Commons.\* Since that event I have seen nothing calling on me to retract or qualify my first impressions. If the effect which he produced then was not all that had been expected, I attribute it far less to any deficiency of general power, than to that want of energy and directness of purpose, which is the besetting infirmity of his mind. Let him but emancipate himself (and he *has* shown that he can do so) from the petty drags that have heretofore impeded his course, and he may yet become distinguished to his heart's content, and, what is better, eminently useful to his country. He has the means, and nothing can be more propitious than the period. Irish questions press upon the Parliament; upon the most vital of them (the Catholic) he thinks with the just, and will not fail to make a stand. Upon the others he can be, what is most wanting in that House, a fearless witness. Wherever he interposes, the purity of his personal character—his position with the Government—even the neutrality of his former course, will give him weight and credit. Nor (as far as his ambition is concerned) will services thus rendered be unrewarded. So prostrate is the pride of Ireland,

\* This sketch appeared in November, 1824.—M.

that she no longer exacts from her public men a haughty vindication of her rights. In these times a temperate mediator is hailed as a patriot. This Mr. North can be; but to be so with effect, he must distinguish better than he has yet done between false complaisance and a manly moderation. He must give way to no mistaken feelings of political charity toward a generation of sinners, whom flattery will never bring to repentance. If he praise the country-gentlemen of Ireland again, until they do something to deserve it, I shall be seriously alarmed for his renown.



## THOMAS WALLACE.

MR. WALLACE is in several respects a remarkable man. He has for many years held an eminent station in his profession, and is pre-eminently entitled to the self-gratulation of reflecting, that his success has been of that honorable kind in which neither accident nor patronage had any share. Of his early life and original prospects I have heard little, beside the fact that, in his youth, he found himself alone in the world, without competence or connections, and with merely the rudiments of general knowledge; and that under these disheartening circumstances, instead of acquiescing in the obscurity to which he was apparently doomed, he formed, and for years persevered in a solitary plan of self-instruction, until, feeling his courage and ambition increased by the result of the experiments he had made upon himself, and measuring his strength with the difficulties to be encountered, he rejected the temporary allurements of any more ignoble calling; and, with a boldness and self-reliance which the event has justified, decided upon the Bar as the most suited to his pretensions.

With this view, and with a patient determination of purpose, which is among the most trying exercises of practical philosophy, he qualified himself for Trinity College, and entering there, gave himself (what was probably his chief motive in submitting to the delay) the reputation of having received a regular and learned education. He was called to the Bar in 1798, where his talents soon bringing him into notice, he advanced at a gradual and steady pace to competence, then on to affluence, and finally to the conspicuous place which he now fills in the Irish courts. He obtained a silk gown about

seven years ago\*—a period beyond which it could not, without consummate injustice, have been withheld; but he was known to have connected himself, in his political sympathies, with Mr. Grattan and the friends of Ireland;† and this, according to the maxims by which the country was then governed, was an unanswerable reason for procrastinating to the latest moment his title to precedency.

Mr. Wallace's intellectual qualities are in many particulars such as might be inferred from his history. In his character, as developed by his early life, we find none of the peculiarities of his country—no mercurial vivacity—no movements of an impatient and irregular ambition—but rather the composed and dogged ardor of a Scotchman, intent upon his distant object of fame and profit; and submitting, without a murmur, to the fatigues and delays through which it must be approached. In the same way it may be said of his mind, that it has little

\* In 1819—this sketch appeared in July, 1826.—M.

† Grattan was, *par excellence*, the most liberal man in Ireland—devoting over forty years of his public life to the cause of national independence and the advancement of civil and religious liberty. He was not always popular, though Ireland gave him fifty thousand pounds sterling for his services in 1782. Flood insinuated that he had betrayed his country for gold, and was “a mendicant patriot who, for prompt payment, had sold himself to the Minister.” Lord Clare denounced him as “an infernal democrat.” The Corporation of Cork voted that the street, which had been named Grattan street, should in future, be called Duncan street. The Dublin Corporation, who had graced their hall with his portrait, tore it down from the wall, and received a motion that he be expelled from their body. Out of this an incident arose: There was a parliamentary contest for Dublin, in 1803, and Sir Jonah Barrington was a popular candidate. Grattan went up to vote for him, and was objected to as one who had been expelled the corporation. A violent Ascendency man, named John Gifford (whose son, Doctor Gifford, is the able Editor of the London Standard), made the objection. When silence was restored, Grattan thus denounced him: “Mr. Sheriff, when I observe the quarter whence the objection comes, I am not surprised at its being made. It proceeds from the hired traducer of his country—the excommunicated of his fellow-citizens—the regal rebel—the unpunished ruffian—the bigoted agitator! In the city, a firebrand—in the court, a liar—in the streets, a bully—in the field, a coward! So obnoxious is he to the very party he wishes to espouse, that he is only supportable by doing those dirty acts the less vile refuse to execute.”—This was a pretty strong use of the vernacular. When the roll of voters was examined, it showed that Grattan's name was never erased, so he voted for his friend.—M.

or nothing that is strictly national. The forms in which it excels are purely abstract, and would come as appropriately from a native of any other country. It is as an advocate (as contradistinguished from a mere lawyer), that he has been most successful; and here the characteristic quality of his style and manner, or rather, the compound result of all the qualities that belong to him professionally and individually, is masculine energy. He is emphatically "the strong man." There is at all times, and on all occasions, an innate, constitutional, imposing vigor, in his topics, language, tones, and gestures; all co-operating to a common end, and keeping for ever alive in his auditory the conviction that they are listening to a singularly able-minded man.

This impression is aided by his general aspect. His face, without a particle of pedantic solemnity, is full of seriousness and determination. Whatever of lofty or refined emotion may belong to the individual, never settles upon his countenance, and equally absent is every trace of sentimental discontent: but you find there a rigid, statue-like stability of expression, importing consciousness of strength and immobility of purpose, and suggesting to those who know his history and character an early and deliberate preparation for the world's frown, and a determination to retort it. His features, though remarkably in unison with the intellectual and moral characters impressed upon them, have few physical peculiarities that can be conveyed by description. They are of the hardy Celtic outline, are evidently composed of the most durable materials, and still retain all the compactness and rotundity of early youth. His frame, though little above the middle size, presents the same character of vigor and durability, and contributes its due proportion toward completing that general idea of strength, which I have selected as most descriptive of the entire man. The more stern attributes, however, that I have ascribed to him, refer exclusively to the individual, as I have seen him in the discharge of his public duties. In the intercourse of private life he is, according to universal report, of the most frank and familiar manners, an extremely attractive companion, and, what is better still, a warm and constant friend.



Considering, as I do, Mr. Wallace's mind to be in its original constitution what may be denominated one of all-work, I should say of it, that among the multiform and dissimilar departments of intellectual exercise involved in the profession of the law, there was scarcely any for which he could not have provided a corresponding aptitude of faculty. His powers have, however, been very much confined to those classes of cases in which facts, rather than legal doctrines, are the subject-matter of investigation. This may have been partly accidental; for, at the Irish bar, it is not only a matter of chance whether the individual is to succeed at all, but chance, in the majority of instances, determines the particular faculties that must be developed and permanently cultivated for the purpose. There the aspirant for professional eminence can not, as in England, select a particular department, and make it the subject of his exclusive study.\* One comes to the scene of exertion, relying upon his stores of learned research and his capacity for the solitary labors of the desk—but the necessity of taking whatever business is offered, throws him into a totally dissimilar line. He becomes a *nisi-prius* or motion lawyer, upon compulsion; strains his lungs in open court, to a pitch that neither nature nor himself had ever designed; and ascertaining by experience that this is to be his way of "getting on," resigns his original studies as unproductive toil, and concludes a prosperous career, without having ever given an opinion upon a title, or settled the draft of a deed of assignment.

Another starts upon the strength of his oral qualifications. Full of confidence and ardor, and fired with admiration of preceding models, he is all for eloquence—and eloquence of the highest order. He studies black-letter, and technicalities as a painful effort, but his cordial meditations are over the defence of Milo, and the immortal productions of the Athenian school.

\* At the Irish as at the American bar, the lawyer takes all business that comes to him—whether *Nisi Prius*, criminal, equity, mercantile, ecclesiastical, or civil, not declining special pleading and conveyancing. In England, the lawyer usually limits himself to one line, on which he concentrates his attention and abilities. The natural result is that one practice makes good *general* and the other produces eminent *special* lawyers.—M.

In his ambitious reveries, he sees before him a brilliant perspective of popular occasions, with the usual accompaniments of crowded galleries, spell-bound juries, an admiring bench, an applauding bar—but let him take heed. It is at all times in the power of two or three friendly attorneys, who are in any business, to get him into Chancery, and keep him there, and with the best intentions imaginable (if he only prove competent to the tasks assigned him) to blast his fame for eloquence for ever.\*

It does not, however, appear to me, that Mr. Wallace is one of those to whom any cross-purposes of this kind have assigned a final destination that can be reasonably lamented. The cases in which he is in most request, are, perhaps, those in which he was originally, and still continues more peculiarly fitted to excel.

Judging of him from his professional attributes and his collateral pursuits, I am led to infer that the early and strongest propensity of his mind was for the discovery of truth; or in other words, that he was more of the philosopher than the sophist; and it will, I apprehend, be generally found true, that such an intellect, however competent to seize, is less prone to retain

\* I could cite more than one example of persons, whose talents for public-speaking have been thus suppressed. I know of only one exception; or to speak more strictly, of an instance of very uncommon powers of oratory, breaking out long after the enthusiasm of youth had passed away, and in despite of a long subjection to habits of an opposite tendency. It was that of an Englishman, the present Mr. Justice Burton. He had been disciplined in all the severity of his native school, and forced his way at the Irish bar, entirely by his legal superiority. It was only, when in the regular course of seniority he came to address juries, that it was first discovered by others, and probably by himself, that there lay in the depths of his mind a mine of rich materials that had never been explored. To the last he had to dig for them. For the first half hour he was nothing; it took him that time to reconnoitre his subject, and get thoroughly heated: after that he was—not an accomplished speaker—for he never affected the externals of oratory—but in its great essentials—unity of purpose, and bold, rapid, and impassioned reasoning, enforced by the vigorous practical tones and gestures of real life—possessor of an energy, that at times, and often for a long time together, was quite Demosthenic. [Charles Burton, late one of the *puisne* Judges of the Queen's Bench in Ireland, was induced to leave the English for the Irish bar by Curran, and merited all the praise here given him. He died in December, 1847, aged 87, much lamented.—M.]

and manage, a large mass of the multiform propositions of English law, where the terms in most familiar use are often subtle deductions from distant principles that are no longer visible to those who employ the terms with most effect; and where, in fact, the process of argumentation may be likened to the working of an algebraic equation, in which the final result is ascertained by the juxtaposition of signs rather than by a comparison of ideas. He has also indulged in too constant a sympathy with the concerns of general humanity, to have ever shrunk into a mere technical proficient. To form the true "*Leguleius, cautus atque acutus*," a man must make up his mind to remain for years and years profoundly indifferent to all that passes beyond the precincts of his immediate calling. He must take the course of legislation as he would the course of the stars, as things above him; and never venture, even in his most private reflections, to pry into the policy of an Act of Parliament, saving so far as the preamble may be pleased to enlighten or perplex him on that point. If questions on the Currency rage around him, he must take no part, except in hoping that the decision will not diminish the exchangeable value of the counsel's fee. If he chances to hear that a bog has burst from its moorings, or that a blazing comet threatens to pounce upon our planet, he must leave them to be treated of by the curious in such matters, and go on with his meditations over a special demurrer. He must bring himself, in short, to take no interest, direct or indirect, in aught that does not come home to his learned self. His bag must be to him the true sign of the times; and as long as it continues in high condition, he is to rest satisfied that human affairs must be running a prosperous career.

Mr. Wallace has, however, found constant and profitable occupation in a branch of his profession, where a proficiency does not involve a corresponding waste of sensibility. He is in high repute in jury cases, and still more in those cases where issues of fact come under the investigation of the court, upon the sworn statements of the parties and their witnesses. It was said of the celebrated Malone, that to be judged of, he should be heard addressing "a jury of twelve wise men;" and



certainly when I consider the eminent qualifications of Mr. Wallace, distinguished as he is for a solid and comprehensive judgment; for manly sagacity rather than captious subtilty in argument; for the talent (and here he peculiarly excels) of educing an orderly, lucid, and consistent statement out of a chaotic assemblage of intricate and conflicting facts; for his knowledge of human nature, both practical and metaphysical, and, along with these, for the sustained and authoritative force of his language and delivery, which operate as a kind of personal warranty for the soundness of every topic he advances; I should say that the most fitting place for the exhibition of such powers would be before such a tribunal as the admirers of Malone would have assigned him; but a tribunal, so constituted, is not to be found. The most discriminating of Irish sheriffs would be somewhat puzzled in his efforts to empanel a round dozen of special sages in a jury-box; but though wisdom in such numerical force is not to be met with, there is a tribunal in Ireland (a novelty perhaps) filled by persons, who for knowledge, intellect, and impartiality, may, without exaggeration, be denominated "four wise men," and who are most frequently called upon to serve as jurors in that description of cases in which Mr. Wallace's professional superiority is most acknowledged.\* Those cases (in technical parlance called "heavy motions") are more numerous in the Court of King's Bench, partly from its exclusive jurisdiction, as a court of criminal law, and also in no small degree from its present constitution, and the consequent influx of general business, by which the public confidence in its adjudications is unequivocally declared.

\* Mr. Curran, on one occasion, was trying a case before Lord Avonmore and a stupid Dublin Jury, by whom his best flights of eloquence and wit were wholly unappreciated. Addressing them, with a side glance at the Judge, he stated that Hesiod, a famous Greek historian, had exactly expressed his views, and quoted *two lines of Latin*! "Why, Mr. Curran," said the Judge, "Hesiod was a poet not an historian, and the lines you quote are not Greek but Latin: they occur in Juvenal." Curran contended that they were Greek, and the dispute grew warm. At last, Curran said, "Well, my lord, I see we must disagree. If it were a matter of law, I should bow to your lordship's opinion, but it is one of fact, and rests with the Jury to decide. Let us send it up as collateral issue to the Jury, and I'll be bound that they will—*find it Greek!*"—M.

It is accordingly in this court that Mr. Wallace, in his ordinary every-day manner, as an advocate, may be heard to most advantage. His skill in dissecting a knavish affidavit is admirable, and renders him the terror of all knavish deponents upon whom he may have to operate. The exhibition is often amusing enough to a disinterested spectator. The party whose conscience is to undergo the ordeal of a public scrutiny, may be seen seated by his attorney; his countenance at first glowing with a defensive smirk of self-complacent defiance, but manifesting, as the investigation into his candor and veracity proceeds, the most marvellous varieties of hue and expression. An inconsistency or two are pointed out, and his smile of anticipated triumph gradually degenerates into a sub-acid sneer. A fraudulent suppression is next put up, and then he begins to look at his attorney; and, finding no refuge there, to look very grave. The counsel proceeds, inexorably accurate in his detections, and caustic in his comments. Our worthy deponent begins now to tremble for his reputation, and not without reason; for down come upon it a succession of mortal blows, every one of which the listening crowd, who desire no better sport, pronounce, by a malignant buzz, to have been "a palpa-ble hit." This quickly brings on the final stage. Our hero, "according to the very best of his knowledge, information, and belief," is mortified and wrathful in the extreme. He starts and frowns and shifts his posture, and compresses his lips, and clenches his fists: he would give worlds (so at least says his eye; and I would believe it as soon as his affidavit) to have just one blow at the head of his merciless torturer, or to tell him in open court that he is a calumniator and an assassin. He is on the point of committing some extravagance, when his attorney throws in a word or two of cool advice, to prevent his rage from boiling over, and the paroxysm gradually works itself to rest in silent vows of indefinite vengeance, or in *sotto-voce* murmurings of impotent vituperation.

In such cases as the preceding, the severity of Mr. Wallace's animadversions is forgotten with the occasion; but when, in the discharge of his duty, he has been impelled to be equally unceremonious in his comments upon litigants of a higher

order, murmurs have arisen, and questions been started as to what are or ought to be the privileges of a barrister, in arraigning the conduct and motives of the parties to whom he is opposed. The irritated suitor of course exclaims against a license under which he has smarted, as an intolerable grievance, and in general finds many sufficiently disposed to join in his indignation; but no disinterested person, acquainted with human nature as developed in the course of our legal proceedings, and considering alone the ends of justice, can easily bring himself to desire that the privileges complained of should be in any way abridged. The law makes a counsel personally responsible for any injurious observations upon the characters of individuals not warranted by his instructions; and that those limits are seldom exceeded may be collected from the fact, that actions for slander of this description are unheard-of in practice. But if his instructions are manifestly libellous, is he not under a paramount moral obligation to suppress the obnoxious matter? or is every just and honorable feeling of the gentleman to be merged in the conventional character of the barrister? The answer is:—A counsel can not tell whether his instructions be true or false; and though they should lean heavily upon an individual of previously unblemished reputation, he is not on that account to take it for granted that they are calumnious.

It is a matter of daily experience, that litigation makes strange discoveries in the characters of men. Persons of unsuspected integrity no sooner become plaintiffs or defendants in a cause, than, blinded by self-interest, or inflamed with the silly desire of obtaining a victory, they are found resorting to every knavish artifice to establish an unjust or resist an equitable demand. How, then, in any given case alleged to be of this description, can the counsel assure himself beforehand that the result will falsify his instructions? Is he, in defiance of them, to be incredulous and forbearing; and from his conjectural doubts and misgivings, to put forward a statement so tame and wary as to deprive his client of the benefit of that honest indignation in the court or jury, which the real facts of the case might justify?



The present Chief-Justice Best\* once said, in conversation, of a barrister: "That man is unfit to conduct a case at the Quarter Sessions: he believes what his client tells him." There is equal truth in the converse of the proposition. A barrister, who should make it a rule to act upon the disbelief of what his client tells him, would prove equally incompetent. But still, it is constantly urged, the privilege thus contended for produces much unwarrantable vituperation. To this it may be replied, that custom has given to language a peculiar, qualified forensic sense, just as it has a Parliamentary one; and that, thus understood, the invectives of counsel are purely hypothetical, and go for nothing, unless corroborated in proof and sanctioned by a verdict. If cleverly thrown off, they may for the moment gratify the bystanders, or ruffle the temper of the party against whom they are directed—but they leave no stain upon his reputation, if twelve men upon their oaths pronounce him to be an honest man. The "daggers" that a counsel "talks," are merely weapons handed up to the jury-box: if any of them draw blood, the jury must strike the blow. And it may be further observed, that this latitude of speech is indirectly of no small service to the ends of justice, by the terrors it holds out to persons who would have no compunction in speculating upon the chances of fraudulent litigation, but are sufficiently worldly and sensitive to shrink from a public and unrestrained exposure of their iniquity.

In judging of an Irish barrister's capacity for the higher orders of forensic eloquence, it is but just to remember, that in that country great occasions are extremely rare; and hence,

\* William Draper Best was educated at Oxford, called to the bar in 1789, rose into good practice, became Sergeant-at-Law in 1800, and soon after was made Chief-Justice of Wales and Solicitor-General. In 1802, he entered Parliament, where he voted on the liberal side. In 1819, he was knighted and placed on the bench as one of the Justices of the King's Bench, and in 1824, was made Chief-Justice of the Common Pleas, which he resigned in 1825, when he was called to the House of Lords. He was a good advocate, a skilful lawyer, an indifferent legislator, an inconsistent politician, and occasionally so partial on his summing-up as to be called the "Judge-Advocate." He was very irritable while on the bench, owing to bodily disease.—M.

no doubt, a habit that prevails there of speculating upon the effects that particular individuals would produce, were they only supplied with opportunities commensurate with their powers. It was thus when the Queen's case was raging, that the national pride of the Irish bar broke out in vain regrets that one of their Crown officers, a man of surpassing qualifications for the conduct of such a cause, should not have been afforded such an opportunity of rising to the highest summit of what I may call the conjectural fame that he enjoyed in his profession. They pictured to themselves Charles Kendal Bushe, appearing at the bar of the House of Peers, as the presiding counsel for the Crown upon the trial of that imperial issue, and uniting to every solid requisite for the discharge of such a duty, a collection of peculiar attributes, that seemed as if expressly designed for swaying the decision of such a tribunal on such an occasion. They saw him there with his matured professional skill and chastened eloquence—his fine imposing presence—his rich, sonorous voice—his masterly powers of countenance, whether he spoke or listened—his profound, unremitting by-play, now refuting by an indignant start, now enforcing by a moral shudder—his elevated courage, and natural grace of gesture, tone, sentiment, and diction, in not one of which the most finished courtier of them all could have detected a provincialism. Considering all these, and the subject, and the auditory, the admirers of this eminent and accomplished person completed (and perhaps not unjustifiably) the ideal picture, by representing to themselves as the final issue, the torrent of popular indignation successfully stemmed, and the imperial diadem wrested from the brow of the royal defendant.

A similar feeling prevailed among many with respect to Mr. Wallace, upon the occasion of the only political case of any moment that has in latter years occurred in Ireland—the trial of the rioters at the Dublin theatre. It was one of the singularities of that case, that the popular feeling was all on the side of the prosecution, and that, with the exception of the Attorney-General [Plunket], none of the counsel for the Crown were animated by a warmer sentiment than a determi-

nation to perform an unwelcome duty. That duty the Solicitor-General [Joy], who spoke to the evidence, performed with legal ability and unquestioned integrity. No one could accuse him of the insidious suppression of, any doctrine or argument that bore upon the case; but it was impossible for him to be eloquent. All his passions and prejudices were against his cause, and he had not the flexibility of temper to assume a tone of indignant energy of which he was unconscious. It is, therefore, easy to account for the general wish that such a man as Mr. Wallace had supplied his place. He would not have allowed himself to have been entrammelled by any personal or official restraints, but, giving the fullest scope to all his powers, and superadding his authoritative denunciations as an individual to his invectives as an advocate, would have the jury feel (and this was what was wanted) that they were themselves upon their trial, and must be held by the public to be accomplices in the factious proceeding against which they should hesitate to pronounce a verdict of conviction.

The personal determination of character and practical efficiency of talent for which Mr. Wallace is so distinguished, have been confined almost exclusively to his professional exertions; but the mention of those qualities brings to my recollection one rather memorable occasion upon which they were called into action, and with a suddenness of result that can not be duly appreciated by any who were not actual witnesses of the scene. In the beginning of the year 1819, the friends of the Catholic cause, considering that the time had arrived when the sense of the Protestant inhabitants of the Irish metropolis might be safely taken upon their question, determined, after much anxious deliberation, that a public meeting of that portion of the community should be convened for the purpose of recording their sentiments in the form of a petition to Parliament for Emancipation. Though pretty confident of success, they foresaw that the Orange faction would rise *en masse*, to interpose every kind of obstruction to so new and obnoxious an experiment. To prevent this, or, at the worst, to be prepared for it, preliminary measures were taken for giving the proposed assemblage every possible degree of



popular, and even of aristocratic *eclat*. The attendance of the Duke of Leinster and several other peers was secured. The name of Grattan stood at the head of a list of patriotic commoners. To these were added some leading men from the Bar, and many persons of opulence and weight from the commercial classes.

Such a mass of respectability, it was hoped, would protect the meeting from any factious obstruction; but among the precautionary arrangements, there was one conspicuous novelty that inevitably provoked it. The Lord-Mayor of Dublin (Alderman M'Kenny\*), with a courage that did him infinite honor, consented to call the meeting, and take the chair. The Rotunda was fixed upon as the most convenient place for assembling; and it had the farther attraction of being, from its associations with the memory of the old volunteers of Ireland, a kind of consecrated ground for civil purposes. But the offence was commensurate. That a chief magistrate of the city of Dublin, the corporation's "own anointed," should be so lost to all sense of monopoly and intolerance, as to give the sanction of his presence at such a place, on such an occasion, was an innovation of too perilous example to pass unpunished. The aldermanic body quivered with indignation; the Common Council foamed with no common rage; the corporate sensibilities of the minor guilds burst forth in vows and projects of active vengeance. Before the appointed day arrived, it was matter of notoriety in Dublin, that a formidable plan of counteraction had been matured, and was to be put into execution.

On the morning of the meeting, some of the principal requisitionists assembled at Charlemont house to make the necessary arrangements for the business of the day. They continued there until it was announced that the Lord-Mayor had arrived, and was ready to take the chair, when they proceeded through the adjoining gardens of Rutland square, toward one of the back-entrances of the Rotunda. There was something peculiarly dispiriting in their appearance, as they slowly and

\* Thomas M'Kenny, born July, 1770; created a baronet, September, 1831; died October, 1849.—M.

silently wound along the narrow walks, more like a funeral procession than a body of men proceeding to bear a part in a patriotic ceremony; but every sentiment of popular ardor was chilled by the apprehension that an effort, from which the most beneficial results had been anticipated, might terminate in a scene of disgraceful tumult.

Even the presence of Grattan, who was in the midst of them, had lost its old inspiring influence. His name, his figure, his venerable historic features, his very dress—a threadbare blue surtout, of the old Whig-club uniform, buttoned closely up to the chin, and giving him something of the air of a veteran warrior: all these recalled the great national scenes with which his genius and fame were identified. But the more vivid the recollection, the more powerful the present contrast. The despondency of age and of declining health had rested upon his countenance. Instead of the rapid and impatient movements with which, in the days of his pride and strength, he had been wont to advance to the contest, launching defiance from his eye, and unconsciously muttering to himself, as he paced along, some fragments of his impending harangue, all was now tardiness, and silence, and quietude, even to collapse.

As they approached the building, the cheerings of the multitude within burst forth through the open windows. The well-known sound for a moment roused the veteran orator; but the impression was evanescent. There was no want of excitement in the spectacle within. Upon entering the grand room of the Rotunda, they found about four thousand persons, the majority of them red-hot Irish politicians, congregated within its walls. The group I have described made their way to the raised platform, upon which the Lord-Mayor had just taken the chair, and where a vacant space upon his right had been reserved for them. The left was occupied by a detachment from the Corporation, headed by a formidable Alderman.

The Lord-Mayor opened the business of the day by reading the requisition, and explaining his reasons for having called the meeting. “Murmurs on the left,” in the midst of which up rose the leader of the civic host to commence the precon-

certed plan of operations. Without preface or apology, he called upon the chairman to dissolve the meeting. He cautioned him, as the preserver of the public peace, not to persevere in a proceeding so pregnant with dangers to the tranquillity of the city. Let him only look at the assemblage before him, which had been most unadvisedly brought together under the sanction of his name, and reflect, before it was too late, upon the frightful consequences that must ensue, when their passions should come to be heated by the discussions of topics of the most irritating nature. Was it for this that the loyal citizens of Dublin had raised him to his present high trust? Was it to preside over scenes of riot, perhaps of——” Here the worthy alderman was interrupted, according to his expectations, by tumultuous cries “to order.” A friend from the left rushed forward to sustain him; a member of the opposite party jumped upon the platform to call *him* to order, and was in his turn called to order by a corporator.

Thus it continued until half a dozen questions of order were at once before the chair, and as many persons simultaneously bellowing forth their respective rights to an exclusive hearing. To put an end to the confusion, the chairman consented to take the sense of the meeting on a motion for an adjournment, and having put the question, declared (as was the fact) that an immense majority of voices was against it. This was denied by the left side, who insisted that regular tellers should be appointed. A proposition, at once so unnecessary and impracticable, revealed their real object, and was received with bursts of indignation; but they persevered, and a scene of terrific uproar ensued. It continued so loud and long, that those who surrounded the chair became seriously alarmed for the result. They saw before them four thousand persons, inflamed by passion, and immured within a space from which a speedy exit was impossible. In addition to the general excitation, violent altercations between individuals were already commencing in remoter quarters of the meeting, and if a single blow should be struck, the day must inevitably terminate in bloodshed.

At this moment, when the tumult was at its height, two fig-



ures particularly attracted attention;—the first from its intrinsic singularity—it was that of a noted city brawler (his name I now forget) who had contrived to perch himself aloft upon a kind of elevated scaffolding that projected from the loyal corner of the platform. He was a short, sturdy, half-dwarfish, ominous-looking caitiff, with those peculiar proportions, as to both person and features, which, without being actually deformed, seem barely to have escaped deformity. There was a certain extra-natural lumpish confirmation about his neck and shoulders, which gave the idea that the materials composing them must have been originally intended for a hump; while his face was of that specific, yet non-descript kind, which is vulgarly called a phiz—broad, flat, and sal-low, with glaring eyes, pug nose, thickish lips, and around them a circle of jet-black (marking the region of the beard) which neither razor nor soap could efface.

The demeanor of this phenomenon, who brandished a crabstick as notorious in Dublin as himself, and wore his hat with its narrow upturned brim inclined to one side (the Irish symbol of being ready for a row) was so impudent and grotesque as to procure for him at intervals the undivided notice of the assembly. His corporation friends let fly a jest at him, and were answered by a grin from ear to ear. This was sure to be followed by a compact full-bodied hiss from another quarter of the meeting, and instantaneous was the transition in his countenance, from an expression of buffoonish archness to one of almost maniacal ferocity. This “comical miscreant,”\* contemptible as he would have been for any other purpose, proved a most effective contributor to the scene of general disturbance. Apart, at the opposite extremity of the platform, in view of this portent, and exposed to his grimaces and ribald vociferations, sat Henry Grattan, a silent and dejected spectator of the turmoil that raged around him. The contrast was at once striking and afflicting, presenting, as it were, a visible

\* This was a phrase taken from speeches and letters of O’Connell, in 1825, during a dispute with Cobbett, in which a great deal of abuse passed on both sides. O’Connell had rather the best of the quarrel, his vocabulary of stinging adjectives being very large indeed.—M.

type of the condition of his country, in the triumph of vulgar and fanatical clamor over all the efforts of a long life, exclusively devoted to her redemption.

But to resume:—The confusion continued, and the symptoms of impending riot were becoming momentarily more alarming, when Mr. Wallace (to whom it is full time to return) had the merit of averting such a crisis. In a short interval of diminished uproar, one of the most prominent of the disturbers was again on his legs, and recommencing, for the tenth or twentieth time, a disorderly address to the chair, when Mr. Wallace, who had not previously interfered, started up from his seat beside the chairman, advanced toward the speaker, and called *him* to order. The act itself was nothing—the tone and manner everything. There was in the latter a stern, determined, almost terrific energy, which commanded immediate and universal silence. In a few brief sentences, he denounced the palpable design that had been formed to obstruct the proceedings, exposed the illegal and indecent artifices that had been resorted to, and insisted that the parties who were dissatisfied with the decision of the chair on the question of adjournment, should forthwith conform to the established usage in such cases, and leave the room. The voice of authority, and something more, in which this was said, produced the desired effect. The multitude shouted forth their approbation. The civic chieftain, after performing astonishing feats of aldermanship, judged it prudent to retire without a further struggle. He was followed by his corps of discontents, about fifty in number, and the business of the day, after a suspension of two hours, proceeded without interruption.

Mr. Wallace is one among the few of the present leading men at the Irish Bar, who have dedicated much time to literary pursuits. His general reading is understood to be various and extensive. In the year 1796, two years before he was called to the Bar, he composed an essay on the variations, in the prose style of the English language, from the period of the Revolution, which obtained the gold medal prize of the Royal Irish Academy. It is written with much elegance, is entirely free from juvenile or national finery, and bears evident marks

of those powers of discrimination which were afterward to procure for the possessor more substantial results than academic honors. In the same year he published a treatise of considerable length upon the manufactures of Ireland. The latter I have never seen, but I have heard an anecdote regarding it which may be mentioned as illustrative of the purity with which Irish academic justice was in those days administered. It was originally composed, like the former, as a prize-essay. The academy hesitated between it and the rival production of one of their members, a Mr. Preston, and referred the decision to a committee. The committee deputed the task to a sub-committee, and the latter to three persons, of whom Mr. Preston was one. The prize was accordingly adjudged to that gentleman's production, and Mr. Wallace revenged himself of the academy by publishing his work, and prefixing to it a detailed account of the transaction.

In concluding my notice of this able person, I have only to add, that if he should ever enter Parliament, it may be safely predicted that his career there will be neither "mute" nor "inglorious." His manliness, integrity, and determination, as well as his general talents, would be soon found out in that assembly, and insure him upon all occasions a respectful hearing. The enlightened portion of the Irish administration would find in him a strenuous supporter of no ordinary value; and the country at large (independently of the benefit of his other exertions) would have a security that no hackneyed and scandalous misrepresentations of its condition, no matter from whose lips they might come, would be allowed to pass in his presence without peremptory contradiction and rebuke.



## WEXFORD ASSIZES.

I AM an Irish Barrister, and go the Leinster Circuit.\* I keep a diary of extra-professional occurrences in this half-yearly round, a sort of sentimental note-book, which I preserve apart from the *nisi prius* adjudications of the going judges of assize. In reading over my journal of the last Circuit, I find much matter which with more leisure I could reduce into better shape. I shall content myself for the present with an account of the last assizes, or rather of myself during the last assizes of Wexford, presuming that I do little more than transcribe the record of my own feelings and observations from a diary, to which, as I have intimated, they were committed without any intention that they should be submitted to the public eye. This will account for the character of the incidents, and the want of classification in their detail.

I set off from Dublin on the 17th of July, 1825, in the mail-coach. In England, a barrister is not permitted to travel in a public vehicle, lest he should be placed in too endearing a juxtaposition to an attorney. But in Ireland no such prohibition exists; and so little aristocracy prevails in our migrations from town to town, that a sort of connivance has been extended to the cheap and rapid jaunting-cars, by which Signor Bianconi (an ingenious Italian) has opened a communication between almost all the towns in the south of Ireland.† Be it,

\* Sheil, who went the Leinster Circuit, wore no disguise in this sketch, which he originally named, "Diary of a Barrister during the last Wexford Assizes."—M.

† Charles Bianconi established a system of cheap and rapid travelling in Ireland, on what are called Outside Jaunting-cars, which he spread all over the country, from 1823 until the advent of Railwayism, which has necessarily con-

however, remembered, that it was not in an Irish *vis-a-vis*, that I passed through the ancient city of Ferns. Doctor Elrington, the present Bishop of Clogher, resides in its immediate vicinity; his palace is visible from the road.

A word or two about the doctor.\* He had been Provost of Trinity College, and was raised to this important office by Mr. Perceval, to whom he recommended himself by some mystical lucubrations upon the piety, poverty, and simplicity of the Irish Church. They were distinguished by a laborious flimsiness, and exhibited a perfect keeping between the understanding of the writer and his heart: they smelt of a lamp which was fed with rancid oil. The present Archbishop of Dublin† had been the competitor of Elrington for the first station of the University. His eminent abilities gave him in his own opinion, and I should add, in the judgment of the University, a paramount claim. But at that time he had the plague-spot of liberality in his character. The stain has been since effaced, but it was still apparent when he presented himself to the Minister.

Doctor Magee used to give a somewhat amusing account of his reception by the flippant personage who was then at the head of the State. He threw out some broad hints as to the principles in which the Protestant youth of Ireland ought to be educated; and said that the office had been given away.

tracted his operations. Public convenience and private economy were alike served by Mr. Bianconi, who has made a large fortune, is now a Magistrate in Tipperary (where he has purchased estates), and has served the office of Mayor of Clonmell.—M.

\* Dr. Elrington was a great pamphleteer, who distinguished himself by illiberality as Provost of Trinity College, Dublin, and took in a double supply, when he became Bishop. He was reputed to be a good classical scholar.—M.

† Dr. William Magee, born in 1765, was educated at Dublin University, when he became Professor of Oriental languages. In 1806, he was a senior fellow of the College, and, soon after Professor of Mathematics. After being successively Dean of Cork and Bishop of Raphoe, he was made Archbishop of Dublin in 1822. His chief literary work, published in 1801, was on the subject of The Atonement—on this, which obtained great popularity, he attacked Unitarianism with Orthodox zeal, acuteness, and learning. He became strongly anti-Catholic in politics after his last preferment, and disappointed the hopes which arose out of his previous moderation. Archbishop Magee died in 1831, aged sixty-six.—M.

"Let me see" (said Mr. Perceval, in the Doctor's description), "let me see—yes, his name is Doctor Elrington, I have his pamphlets upon tithes; he has demonstrated their divine origin. How much such men are wanted in these dangerous times!"\* The mistake made by the Minister in pronouncing the name of his successful rival (which he hardly knew), produced an increased secretion of gall in the Doctor, to which he used to give vent in many a virulent gibe. At this time he was Mr. Plunket's friend, and his own enemy. But Perceval's admonition was not lost upon him. He perceived that he had taken a wrong course, and, selecting his competitor as his example, speedily improved upon his model. But let him pass.

Doctor Elrington, while a fellow of the college, published an edition of Euclid. A schoolboy might have given it to the world. But such is the state of the Irish Protestant University, that by constituting an exception to the habits of intellectual sloth which prevail over that opulent and inglorious corporation, even an edition of Euclid confers upon a fellow of the university a comparative title to respect.

When Provost, he was a rigid disciplinarian. He attracted public attention by two measures: he suppressed the Histori-

\* Spencer Perceval, son of the Earl of Egmont, was born in 1762, practised a Chancery barrister, and was brought into Parliament by Mr. Pitt. He became leading Counsel on the Midland Circuit. When Pitt was about fighting a duel with Mr. Tierney, he told Lord Harrowby that, if he fell, Perceval was the most competent person to succeed him as Prime Minister and opponent to Fox—an opinion of his powers few else have held. In 1801, he became Solicitor-General under Addington's Ministry, resigned office on Pitt's death, and became Prime Minister on the death of the Duke of Portland in 1807, which was on May 11, 1812, when he was shot through the heart, in the lobby of the House of Commons, by a madman named Bellingham, who was tried, condemned, and executed. On his death an annuity of two thousand pounds sterling a year was voted to his wife and fifty thousand pounds sterling for her twelve children; the lady married again, with very little delay. Perceval, with an admirable private character (which made Moore write on his death

"We forgot in that hour how the statesman had erred,

And we wept for the father, the husband, the friend"),

was intolerant in politics and religion. Dying as he did, by the violent hand of an assassin, even his opponents mourned for him —M.



cal Society, and issued a proclamation against witchcraft. Special orders were given by the Doctor against the raising of the Devil. The library of Trinity College is filled with books of necromancy; and, apprehending that the students might be reduced into a commerce with the Fiend, the Doctor gave peremptory directions, that the ponderous and worm-eaten repertories of the Black art should not be unclasped. A scholar of the house, who appears to have had a peculiar predilection for the occult sciences, complained of the restraint which the Doctor had taken upon himself to put upon his intercourse with the "Prince of the Air," and called the former to account in a visitation, at which Lord Chief-Justice Downes (not very appropriately) presided, as the representative of His Royal Highness the Duke of Cumberland.\* I do not recollect the decision of his Lordship upon this important question, but, if I may be allowed to conjecture from his intellectual habits, I can not help suspecting that any appeal to the statutes of James I. must have been conclusive, in his mind, in favor of the injunction against sorcery. Shortly after this exploit against the Devil, the Doctor was raised to the see of Limerick, and upon the detection of his sanctimonious and detestable predecessor,† he was promoted to the bishopric of Clogher. He resides in a noble palace, which arrests the attention of the traveller in his way to Wexford, and affords an illustration of that apostolic poverty, in which the teachers of the reformed religion embody its holy precepts.

Wexford is a very ancient town. It was formerly surrounded by walls, a part of which continue standing. They are mantled with ivy, and are rapidly mouldering away; but must once have been of considerable strength. The remains of an old monastery are situate at the western gate.

\* The Duke of Cumberland, fifth son of George III., succeeded to the Crown of Hanover, in 1837, on the death of William IV., and died in 1851. In England he was extremely unpopular, but the Hanoverians liked and regretted him. He was elected Chancellor of Trinity College, Dublin, in 1805, and for many years Grand Master of the Orangemen of Great Britain and Ireland.—M.

† Percy Jocelyn, son of the Earl of Roden, was Bishop of Clogher, and was deposed by his clergy, in 1824, for having been detected in the commission of an unnatural crime.—M.

By a recent order of vestry (at which Catholics are not permitted to vote), a tax was laid on the inhabitants for the erection of a new church upon the site of the monastic ruin. Upon entering Wexford I missed a portion of the old building. I walked into its precincts, and found that some of the venerable arches of the ancient edifice had been thrown down, to make way for the modern structure. The work of devastation had been going on among the residences of the dead. A churchyard encompasses these remains of Christian antiquity; and I observed that many a grave had been torn up, in order to make a foundation for the new Protestant church. The masons who had been at work the preceding day, had left some of their implements behind them. To behold the line and the trowel in the grave, would be at any time a painful spectacle; but this violation of the departed becomes exasperating to our passions, as well as offensive to our religious sentiments, when it is occasioned by an invasion of the ancient and proper demesne of the almost universal faith of the people. Fragments of white bones had been thrown up, and lay mingled with black mould upon the green hillocks of the adjoining dead. "Why should not that be the skull of an Abbot?" I exclaimed, as I observed the fragments of a huge head which had been recently cast up: "little did he think; that, in the very sanctuary of his monastic splendor, he should ever be 'twitched about the sconce' by a rude heretical knave, and that a Protestant shovel should deal such profanation upon a head so deeply stored with the subtilties of Scotus, and the mysteries of Aquinas!"

After passing some minutes in "chewing the cud of these bitter fancies," I became weary of my meditations among the dead, and strolled toward the Quay of Wexford, upon which both church and chapel had poured out all their promiscuous contents. Here was a large gathering of young damsels, who, after having gone through their spiritual duties, came to perform the temporal exercises of an Irish Sabbath. There was a great display of Wexfordian finery. The women of Wexford of the better class have, in general a passion for dress, to which I have heard that they sacrifice many of their domestic com-

forts. This little town is remarkable for a strange effort at saving and display. It is not uncommon to see ladies, who reside in small and indifferently furnished lodgings, issuing from dark and contracted lanes in all the splendor which millinery can supply. This tendency to extravagance in dress is the less excusable, because Nature has done so much for their faces and persons, as to render superfluous the efforts of Art. The lower, as well as higher classes, are conspicuous for beauty.

There are two baronies in this county, in one of which the town is situate, the inhabitants of which are descended from a colony planted by the first English settlers, who never having intermingled their blood with the coarser material of the country, have retained a perfectly characteristic physiognomy, and may be distinguished at a glance from the population of the adjoining districts. The Irish face, although full of shrewdness and vivacity, is deficient in proportion and grace. Before you arrive in Wexford, in traversing the craggy hills which overhang it, you meet with countenances at every step, which are marked by a rude energy and a barbarous strength. Through the clouds of smoke that roll from the doors of a hovel of mud, you may observe the face of many an Hibernian damsel, glowing with a ruddy and almost too vigorous health, made up of features whose rudeness is redeemed by their flexibility and animation, with eyes full of mockery and of will, and lips that seem to provoke to an encounter in pleasantry, for which they are always prepared. The dress of the genuine Irish fair is just sufficient to conceal the more sacred of their symmetries, but leaves the greater portion of their persons in a state of brawny and formidable nudity. But when you descend from the hills to the eastern coast, you are immediately struck with a total dissimilarity of look, and can not fail to notice a peculiarly English aspect.

I am disposed to think the young women of the lower class in the baronies of Forth and Bargy, even more graceful and feminine than the most lively of the English peasantry, whom I have ever had occasion to notice. Their eyes are of deep and tender blue, their foreheads are high and smooth, their cheeks have a clear transparent color, and a sweetness of



expression sits on their full fresh lips, which is united with perfect modesty, and renders them objects of pure and respectful interest. They take a special care of their persons, and exhibit that tidiness and neatness in their attire, for which their English kindred are remarkable. I have often stopped to observe a girl from the barony of Forth, in the market of Wexford, with her basket of eggs or chickens for sale, and wished that I were an artist, in order that I might preserve her face and figure. Her bonnet of bright and well-plaited straw just permitted a few bright ringlets to escape upon her oval cheek: over her head was thrown a kerchief of muslin to protect her complexion from the sun. Her cloak of blue cloth, trimmed with gray silk, hung gracefully from her shoulders. Her boddice was tightly laced round a graceful and symmetrical person. Her feet were compressed in smart and well-polished shoes; and as she held out her basket to allure you into a purchase of her commodities, her smile, with all its winningness, was still so pure, that you did not dare to wish that she should herself be thrown into the bargain.

It is clear that the peasantry of these districts are a superior and better-ordered tribe. Industry and morality prevail among them. Crime is almost unknown in the baronies of Forth and Bargy. The English reader will probably imagine that they must be Protestants. On the contrary, the Roman Catholic religion is their only creed, and all efforts at proselytism have wholly failed. It has often been considered as singular that the Irish rebellion should have raged with such fierceness among this moral and pacific peasantry. Some are disposed to refer the intensity of their political feelings to their attachment to the Catholic religion; but I believe that the main cause of the temporary ferocity into which they were excited, and in the indulgence of which they for a while threw off all their former habits, had its origin from the excesses of which a licentious soldiery were guilty, and that the dishonor of their wives and daughters impelled them to revenge and blood.

I have extended my description of the inhabitants of these two Saxon districts (for they may be so called) beyond the limits I had proposed. But I write in a desultory fashion, upon

matters which are in themselves somewhat unlinked together. While I was wandering up and down the quay of Wexford, and, after having fed my eyes to satiety, was beginning to yield to the spirit of oscitation which is apt to creep upon a lawyer on the sabbath, a gentleman had the goodness to invite me to accompany him up the river Slaney, to a fine wood upon the banks of the stream, where he proposed that his party should dine upon the refreshments with which his barge was copiously stored. I gladly took advantage of this very polite invitation; the wind was favorable, and wafted us along the smooth and glassy stream with a rapid and delightful motion. The banks are remarkable for their beauty. On the right hand, as you proceed up the river, the seat of the La Hunt family offers a series of acclivities covered with thick and venerable wood. The temperature of the air is so soft, and the aspect so much open to the mid-day sun, that shrubs which are proper to southern latitudes grow in abundance in these noble plantations. At every turn of the stream, which winds in a sheet of silver through a cultivated valley, landscapes worthy of the pencil of Gainsborough or of Wilson are disclosed. Castles, old Danish forts, the ruins of monasteries, and, I should add, the falling halls of absentees, appear in a long succession upon both sides of the stream.

I was a good deal struck with a little nook, in which a beautiful cottage rose out of green trees, and asked who was the proprietor. It had been built, it seems, by Sir H. Bate Dudley, the former proprietor of the "Morning Herald," who resided for some time upon a living given to him in this diocese. I was informed that he was respected by all classes, and beloved by the poor.\* His departure was greatly regretted. Not far from Sir H. Bate Dudley's cottage is the residence of Mr. Devereux, of Carrick Nana. He is said to be descended

\* Henry Bate Dudley (born 1745, died 1824) was a clergyman, who spent most of his time in literary, political, and convivial society, and (despite his sacred profession) fought several duels! He wrote some plays, and founded two daily newspapers yet published in London—the *Morning Post* and the *Morning Herald*. He was made a baronet and obtained valuable church preferment from the influence these Journals gave him.—M.

from a brother of William the Conqueror, and certainly belongs to one of the most ancient families in Ireland. The political race of this gentleman is so honorably ardent, that he has gone to the expense of collecting portraits of all the parliamentary friends of Emancipation, and devoted a gallery to the purpose.

After passing his seat, we saw Mount Leinster, towering in all its glory before us, with the sun descending upon its peak. Having reached the point of our destination, we landed in a deep and tangled wood, and sat down to dinner in a cave which overhangs the stream. While we were sitting in this spot, which I may justly call a romantic one, a sweet voice rose from the banks beneath, in the music of a melancholy air. It was what I once heard a poor harper call "a lonesome air." I do not know whether certain potations compounded of a liquor which, in our love of the figurative, we have called "mountain dew," might not have added to the inspiration of the melody. When it ceased, we proceeded to discover the fair vocalist who had uttered such dulcet notes, and whom one of us compared to the lady in "Comus." What was our disappointment, when, upon approaching the spot from which the music had proceeded, we found an assembly of sabbatarian wassailers, who gave vent to a loud and honest laugh as we arrived! The echoes took up their boisterous merriment, which reverberated through the woods and hills. The songstress who had so enchanted us was little better than a peasant-girl.

These good people, who were sitting in a circle round a huge jug of punch, had resolved to participate in the beauty of Nature, of which we are all tenants in common, and, like ourselves, had roved out from the town to dine in the wood. They entered their boat at the same time that we pushed off from the bank, and accompanied us. It was now evening. The broad water was without a ripple. The sun had gone down behind Mount Leinster, and a rich vermilion was spread over the vast range of lofty and precipitous hills that bound the western horizon. The night was advancing from the east, toward which our boats were rapidly gliding. The woods which hang upon the banks, had thrown their broad shadows across the stream. We reached the narrow pass where the remains of a palace of



King John, which is still called "Shaun's Court," stand upon the river, while the Tower of Fitzstephen rises upon the other bank. This was the first hold raised by the English upon their landing. It is built on a rock, and commands the gorge in which the Slaney is at this point narrowly compressed. While our barge was carried along the dark water, the fair vocalist, who was in the other boat, was prevailed upon to sing an Irish melody: our oars were suspended. Without any knowledge of music, she possessed a fine voice, and was not destitute of feeling. She selected an old Irish air, to which Moore has appropriately allied the misfortunes of Ireland. Wexford is the birthplace of the poet;\* and as his beautiful words passed over the waters, I could not avoid thinking that in his boyhood he must often have lingered amidst the hills which surrounded us, in which the liveliness of Nature is associated with so many national recollections. It is not impossible that his mind may have taken its first tinge from these scenes, which it is difficult for even an ordinary person to contemplate without a mournful emotion. The enchanting melancholy of the air, which is commonly called "The Coulin," and which was sweetly and inartificially sung, went deeply into our hearts.† The impression left by the poetry and the music, which were so well assisted by a beautiful locality, did not soon pass away.

While our spirits were still under the influence of the feelings which had been called forth by these simple means, the lights of the town of Wexford were descried. As we approached, I perceived the arches of the bridge, which stretches its crazy length from the town to the opposite side of the river. It was upon that bridge that the infuriated insurgents, upon becoming masters of Wexford, collected their prisoners, and murdered them in what I was going to call cold blood: but the

\* This is an error. Thomas Moore's "old gouty grandfather, Tom Codd" (as mentioned in the poet's auto-biography) lived in the Corn Market, Wexford, and Moore himself states that his birth occurred on the 28th May, 1779, at No. 12 Aungier street, Dublin. He died at Sloperton Cottage, Wiltshire, England, on Feb. 26, 1852.—M.

† The beautiful Melody alluded to, is that commencing "Though the last glimpse of Erin with sorrow I see."—M.

phrase would be an inappropriate one. The passions of the people, which had been heated to the utmost intensity in the course of that frightful contest, had not lost their rage at the time that they were guilty of that terrific slaughter.

A gentleman who sat by my side had attested most of the events to which I am alluding. As we neared the memorial of that horrible event (for the bridge of Wexford has almost become impassable, and scarcely serves any other purpose than that of preserving the recollection of the sanguinary misdeeds enacted upon it), I inquired the details of the massacre. He told me that some ninety persons, of both sexes, were placed by the rebels upon the bridge; that their fate was intimated to them; and that they were desired to prepare for death. The Catholic clergy interposed, without effect. The insurgents were bent upon revenge for the wrongs which most of them had individually sustained, and ferociously appealed to the blood upon their own doors in vindication of what they had resolved to perpetrate. Their unfortunate victims fell upon their knees, and cried out for mercy. "You showed it not to our children," was the answer; and to such an answer no replication can be given in a civil war. At the appointed moment, the gates of the bridge were thrown open, and the work of death was almost instantaneously completed.

We had now approached sufficiently near the bridge to perceive its mouldering timbers with distinctness, and to hear the plash of the waters against its rotten planks. I am not guilty of any affectation when I say that the sound was peculiarly dismal. The continuous dash of the wave at all times (whatever be the cause, and I leave it to metaphysicians to assign it) disposes the mind to a mournful mood. Perhaps it is that the rush of water, of which we are warned by its momentary interruption, suggests the ideas of transitoriness, and presents an image of the fleeting quality of our existence. But there was something in the sound of the river, as it broke upon the piles of decayed and bending timber that sustain the bridge of Wexford, of a peculiarly melancholy and more than commonplace kind. I could not help thinking, as I surveyed that decayed but still enduring fabric (why does not the tide wash

it into the sea ?), that upon those shattered boards, and weed-mantled planks, there had been many a wretch who clung with a desperate tenacity for a little longer life, until a thrust of the insurgent's pike loosened the grasp of agony, and the corpse, after whirling for a moment in the eddies beneath, was wafted into the ocean, and became the sea-bird's perch.

Such were the feelings with which I could not help looking upon this memorial of the shame and disasters of my country. A few days after, there occurred in this very spot a scene which tended rather to rivet than to weaken the political interest with which the bridge of Wexford ought to be surveyed. Mr. O'Connell was brought as special counsel to Wexford: the people determined to pay him all the honors which it was in their power to bestow.

It was decided that an aquatic procession, if I may use the phrase, should meet him at Fitzstephen's Tower, and that he should be attended by the citizens from the ground where the English had fixed the foundations of their dominion. The Counsellor was accordingly met, at the pass which I have described, by a fleet of boats, and was forced to step into a triumphal barge, manned by the choicest rowers that could be procured. They were dressed in green jackets lined with gold. A large flag of the same emblematical color, with a harp without a crown, floated from the stern. An immense multitude were assembled upon the banks, and a vast number of boats crowded the river. The Counsellor entered the patriotic barge with a show of reluctance, and took his seat. Three cheers were given.

*"Considunt rastris ; intentaque brachia remis :  
Intenti expectant signum, exsultantiaque haurit  
Corda pavor pulsans, laudumque onesta cupido.  
Inde, ubi clara dedit sonitum tuba, finibus omnes  
Haud mora, prosiluère suis : ferit æthera clamor  
Nauticus : adductis spumant freta versa lacertis."*

The spectacle exhibited in Wexford upon this occasion was a striking one. The whole Catholic population poured forth to greet Mr. O'Connell, and thousands gathered upon the quay and bridge of Wexford to hail his arrival. The Protestants,



who find in every incident of this kind an association with the events of 1798, stood with an expression of deep and angry gloom in the midst of all the turbulent exultation of their Popish fellow-citizens. I observed groups of silent and scowling men, whose physiognomies did not permit me to doubt their religion. They muttered a few words to each other, and seemed to gripe their hands as if they felt the yeoman's sabre already in their grasp. The Catholics were either heedless of their anger, or derided its impotence. They were assembled in vast numbers upon the bridge, which tottered beneath their weight. At length the Counsellor's barge came in sight. A cheer followed every stroke of the oar, and at length he reached the point selected for his reception in the city, and stepped from his barge upon the bridge, which, I suppose, in the eyes of the Protestant portion of the spectators, grew red beneath his footsteps. In their disturbed imaginations every footprint was marked with blood.

The assizes opened upon Tuesday, the 19th July, 1825. The judges were the Chief-Justice of the King's Bench, and Mr. Justice Johnson, judge of the Court of Common Pleas. The former regularly goes the Leinster circuit; some of his immediate friends and kindred are upon it. Charles is the name of the Chief-Justice, and the constellated lights, by which he is surrounded, have been called his "wain." It is natural that a feeling of disrelish for this undeviating adherence to Leinster should exist at the Bar, and it is equally natural that Chief-Justice Bushe should disregard it. The ancient residence of his family (which settled in Ireland in the reign of Charles the Second) is situate in the county of Kilkenny. It is for many reasons most dear to him. His attachment to this domestic spot does not arise from a mere idle pride of honorable birth, but takes its origin in a most noble action. Although not bound to do so, he sold his paternal property to pay his father's debts, repurchased it with the profits of his industry and his genius, and now holds the estate of his forefathers by a better title than descent.

Lord Redesdale's nephew, Mr. Mitford, who was deposited in Ireland by his able uncle, has a great talent for drawing.

One of his best pictures hangs over the chimney of the principal room at Kilmurry (the seat of the Chief-Justice) and appropriately represents Sterne's story of "The Sword." The subject was felicitously chosen.\* It is impossible that the Chief-Justice should not feel a strong attachment to a mansion which affords an evidence at once of his genius and of his virtues; and it would be strange if he did not exercise the privilege of selection which belongs to his judicial rank in favor of a circuit upon which his own property is situate, in almost immediate contiguity to every town in which it is his office to preside. It is also to be observed, that in Kilkenny he is encompassed by his own near associates and friends; and it is but a just indulgence in a sentiment of virtuous pride, that he should desire to exercise his high functions among those who experience an unaffected pleasure at witnessing the elevation which he has attained.

With respect to the imputed charge of favoritism, the persons who are most disposed to find fault with this eminent individual, can not point out any specific instance in which, from a partiality to the advocate he has manifested the least bias toward the client; and if suitors, upon a calculation of the general frailty of our nature, should indulge in the hope that the leaning of the judge is to be secured by employing the supposed object of his predilection, it were too much to expect that he should offer a homage to suspicion, and, by giving way to it, yield to a certain extent an acquiescence in its justice. For my own part, I am not at all disposed to attach blame to him for persevering in his uniform adoption of their same circuit, as long as judges are permitted by the law to do so. Why should a peculiar exception be made against him? Other judges are equally constant in their local likings, and yet no complaints are made against them.

\* In "The Sentimental Journey through France and Italy." It is a beautiful episode, and few descriptions have as much simple pathos as this which brings before us the Marquis, who had deposited his sword, with the States of Rennes, in Brittany, returning after twenty years' pursuit of wealth, in commerce, to reclaim the weapon having rebuilt the broken fortunes of his ancient house.—M.

In England, too, judges are in the habit of going the same circuit without incurring the popular displeasure. While the law stands as it does, no complaint can justly be made of any individual for consulting his own convenience in these regards. It might, however, be matter for consideration, whether the statute which prevented judges from presiding in their own counties, ought not to be re-enacted. That statute which was repealed in Ireland, at the instance, it is said, of the ex-Judge Day,\* who was fond of the picturesque, and wishing to visit the Lakes of Killarney twice a year, expressed a solicitude to preside at the assizes of Kerry. Such a wish, when the Union was in concoction, was not to be disregarded. How far it is contrary to public policy to allow of this perpetual return of the same judge to the same circuit, admits of doubt. It is hard for a man of the purest mind to divest himself of preconceptions, formed by intimate and reiterated observation. A judge is apt to take local views where he contracts topical connections, and may consider it necessary to administer justice with more rigor in districts with the habits of criminality of which he may have acquired a peculiar intimacy. A stronger anxiety for the suppression of atrocities in his own immediate vicinage is almost inevitable. Offences committed at our own door appear not only more formidable, but enormous. The blood spattered at our very threshold, leaves behind it a deeper die.

It is, however, but just to add, that if there be any judge, from whose constant attendance of the Leinster circuit, not only no positive evil, but an actual benefit arises, it is Charles Kendal Bushe. As far as my observation extends, he is perfectly impartial. The rank or the religion of parties has no sort of weight with him; and to every case, whatever may be the circumstances attending it, he gives an equal and unbiassed hearing. His attention to the interests of the lower orders, evinced by the extraordinary solicitude with which he investigates their rights in the trial of civil bill appeals, is above all praise. It was formerly usual to hear civil bills at the close of the assizes of Clonmel; and the persons interested,

\* Judge Day, of liberal politics, was a very intimate friend of Grattan.—M.



who are almost always of the humbler class, were kept in anxious and expensive attendance for a whole week upon the court. Poor creatures, whose very being was involved in the result of their appeals, were assembled in a dismal gathering in the town, and, before their causes were heard, had expended nearly the whole amount of the sum decreed against them, in awaiting the capricious pleasure of the judge to reverse the sentence of the inferior tribunal. When this branch of business was called on, the judge was generally impatient to leave the town, and hurried with a careless precipitation through matters which, however insignificant in the mind of the wealthiest suitor, were of permanent moment to the wretched peasants who flocked to the assizes for redress. The Chief-Justice has reformed those crying abuses, and devotes as much consideration to the trial of minor cases as to causes of the greatest magnitude. He has, by introducing this practice, which could not have been established by him without a continued selection of the circuit, conferred signal advantages upon the public.

With respect to the interests of the Bar, although some of his more immediate friends are supposed to derive a benefit from his countenance, it should be remembered, in the first place, that they are persons of high merit; and it should not be forgotten, that to every member of the Bar the Chief-Justice is so undeviatingly polite, that no individual can justly tax him with having done him any immediate wrong. I am much inclined to think, that there is great exaggeration in the estimate of those advantages supposed to arise from the favor of any judge; and even if I were disposed to accord in the opinion, that individuals can be indebted for any essential portion of their success to the influence of the judicial smile, the accomplished manners, the liberal and enlightened spirit, the great endowments, and the patient industry, of the Chief-Justice, would outweigh, in my mind, every inferior and personal consideration.

Mr. Justice Johnson was joined with the Chief-Justice in the commission. He is the brother of the ex-judge of that name, who wrote the celebrated letters of Juvena, and who

is justly accounted one of the ablest men in Ireland.\* The two brothers are men of eminent talents, but wholly dissimilar in character. The political writer is calm, ironical, biting, and sarcastic, and uses shafts of the finest temper, steeped in venom. The present judge is vehement, impetuous, frank, and vigorous; and while the one shoots his finely-feathered arrows, the other whirls about a massive and roughly-knotted club. He is warm and excitable, and effervesces in an instant. This suddenness has its origin in the goodness of his nature. If he suspects collusion or fraud, or gets the least hint of baseness in any transaction, he immediately takes fire. In these moods of explosive honesty, there is something formidable to a person who does not know that the ebullitions of integrity subside as rapidly as they break out; and that, with all these indications of angry temperament, he is in reality a kind and tractable man. At the same time we must beware of wantonly provoking him. “*Noli irritare leonem*,” is a precept which the contemplation of his countenance has sometimes recalled to me. His deep voice that issues upon a hunter of subtleties in a roar, his broad and massive face, a pair of ponderous brows that overhang his flashing eyes, a certain shagginess of look, and a start of the whole body with which he

\* There were two Johnsons, William and Robert, sons of an apothecary in Dublin. Both became Judges. Robert, a *puisne* in the Common Pleas, wrote a paper, published by Cobbett, against Lord Redesdale, on circumstances connected with Emmett’s trial. This paper was considered a libel, and O’Grady, then Attorney-General, proceeded against Johnson. After a world of argument, Judge Johnson was actually kidnapped, conveyed from Ireland to England, tried for the libel, convicted, and proceedings stopped on condition of his resigning his Judgeship, which he did—receiving twelve hundred pounds sterling annual pension for life. Curran was his Counsel in Ireland, and in a speech in this case he appealed to Lord Avonmore, who presided, in the name of their early friendship, and the happy hours they had passed together. Quoting from Cowley, he said—

“We spent them not in toys, or lust, or wine;

But search of deep philosophy,

Wit, eloquence, and poesy—

Arts which I loved; for they, my friend! were thine.”

There had been a coolness between them, but Avonmore sent for Curran, when the Court rose, threw himself into his arms, while his eyes were yet wet with tears, and they were friends again.—M.

erects himself, suggest the image of that "fine animal" to my mind. This learned and excitable person, with all this suddenness of emotion, is extremely good and kind-hearted; and, although he may now and then say a rough thing, never aims a deliberate blow at the feelings or reputation of any man. As a criminal judge, he is truly merciful and compassionate; and as a civil one, is learned, sagacious, and acute. In the Court of Common Pleas, he exhibits much more irritability than upon circuits. He is exasperated by the witticisms of Lord Norbury, who says that his brother is like a young horse, and wishes to draw the entire coach himself. To adopt his lordship's illustration, it must be owned that he kicks and plunges when yoked with "that gallant gray," but pulls single exceedingly well.

No trial of any very considerable interest, except that of the action of Nunn against Wyse, which has been detailed in the English papers, occurred during the last assizes: but, in looking over my diary, I find a sketch which I made at the time of a very important case, which was tried by Judge Johnson during a preceding circuit, and which it may gratify the curiosity of the English reader to have transcribed. I allude to the prosecution of Father Carroll, the Wexford priest, who killed a child in a fit of insanity, under circumstances which greatly excited the public attention.

This unfortunate man, for he deserves no harsher appellation, had from his childhood a strong predisposition to insanity. It was with great difficulty that he succeeded in obtaining ordination. His aberrations from reason, before they amounted to actual madness, were connected with the subject of exorcism; and although every person to whom he addressed his arguments in favor of the expulsion of devils, smiled at his extravagance, they still could not help acknowledging that he argued with subtilty upon wrong premises, and confessed that his applications of various passages in the holy writings were ingenious, however mistaken. It was in vain that Father Carroll was told that the power of Satan to possess himself of human bodies ceased with the revelation of Christian truth. He appealed to the Acts of the Apostles, and to incidents sub-



sequent to the death of our Savior, to establish his favorite speculation. A medical man, with whom he was intimate, perceived that the subject had laid such a hold upon his naturally excitable imagination, that he resorted to sedative medicines, to avert the progress of an incipient malady to which he had an organic predisposition. As long as he followed his physician's advice, he abstained from any acts of a very extravagant nature; but unhappily, before the events took place, which formed the ground of a capital prosecution, he neglected to take his usual preventives, and became utterly deranged.

He suddenly fancied himself endowed with supernatural authority. This fantastic notion seized upon him in the midst of divine service; after the wild performance of which, he rushed into the public road that led from the chapel to his house, in search of an object for the manifestation of his miraculous powers. He was informed that a laborer by the name of Neill was confined by illness to his bed; and being convinced that he was possessed by an evil spirit, proceeded to effect the removal of the enemy. His singular demeanor attracted the attention of the passengers, who followed him to Neill's cottage; which he had no sooner entered than he precipitated himself upon the sick man, and began his miraculous operations with marvellous vigor. A severe pommelling was the process of exorcism which he regarded as most effectual. This he put into immediate and effectual practice. Neill did not attempt to resist this athletic antagonist of the devil. The unhappy gentleman had determined to take Beelzebub by storm. After a long assault, he succeeded in this strange achievement, and having informed the astonished bystanders that he had taken the enemy prisoner, announced that he should give him no quarter, but plunge him into the Red Sea. The manner of this aquatic ceremony was described by one of the witnesses, who endeavored to illustrate it by his gesture. After uttering various cabalistic words, he whirled himself in a rapid rotation, with his arms outstretched, and then, suddenly pausing, and raising himself into an attitude of importance befitting his new authority, advanced with one arm a-kimbo,

and with the other extended, looking, as the witness expressed it, "as if he held the devil by the tail," and marched with a measured pace and a mysterious aspect, to a bridge upon the river Slaney, where he buried the captive demon in what he took for the Red Sea.

Not contented with this exploit, he exclaimed that Neill had seven more devils, which he was determined to expel from this peculiar object of diabolical predilection. The operation was accordingly repeated with such success, that Neill, after much strenuous expostulation, leaped out of his bed, and exclaimed that he was quite well. This circumstance produced a deep impression upon the crowd, among whom there were some Protestants; and two of the latter, a Mrs. Winter and her daughter, knelt down, and called upon the Lord to assist Father Carroll in the perpetration of the next miracle, which, encouraged by their pious sympathies, he almost immediately proceeded to commit. A poor woman happened to pass along the road, whom he had no sooner observed than he knocked her down, and pursued a mode of exorcism similar to that which I have described, with such effect, that one of the spectators cried out for the people to make way, "as he saw the devil coming out."

This achievement only served to excite the wretched maniac, and impel him to another undertaking of the same kind. He insisted "that the devil had taken possession of Sinot's child." The circumstances which I have detailed, and by no means endeavored to exaggerate, would be merely ridiculous if they were not the result of a malady which humbles human nature; the incident by which they were succeeded, ought to make Democritus shed tears. Sinot had a child who had been affected by fits, and over whom the priest had been requested by its mother to say prayers. This was not only a natural, but, I will add, a reasonable application. It is not supposed by Roman Catholics that the prayers of a clergyman are endowed with any preternatural efficacy; but it is considered that praying over the sick is a pious and religious act. The recollection of this fatal request passed across the distempered mind of the madman, who hurried with an insane alacrity to

Sinot's cabin. It was composed of two rooms upon the ground floor, in the smaller of which lay the little victim. It was indeed so contracted, that it could not contain more than two or three persons. The crowd who followed the priest remained outside, and were utterly unconscious of what he was about to do. The father of the child was not in the house when Father Carroll entered it, and was prevented by the pressure in the exterior room from approaching him; and for some time after the death of the child was wholly unconscious of what had taken place.

No efforts whatever were made to prevent his interference. He was produced as a witness upon the trial, and swore that it did not enter into his thoughts that Father Carroll intended to do the child the least harm. He could not, he said, even see the priest. It is not necessary to describe the manner of the infant's death. It is enough to say that, after uttering a few feeble cries, and calling upon its "mammy," every sound became extinct. The madman had placed the child under a tub, and life was extinguished. It may well be imagined that the trial of this case excited a strong sensation in the county where the rebellion had raged with its most dangerous fury, and from which it will be long before its recollections will have entirely passed away. The Protestant party, forgetting that many of their own sect had taken a partial share in the proceedings, of which they had been, at all events, the passive witnesses, exhibited a proud and disdainful exultation, and affected a deep scorn for the intellectual debasement of which they alleged this event to be a manifest proof; while the Catholics disclosed a festered soreness upon an incident which, they could not fail to feel, was likely to expose them to much plausible imputation.

The Court-house was crowded to the roof by persons of all classes and opinions; among whom the clergy of both churches were conspicuous. It was filled with parsons and with priests. Although there is a certain clerical affinity between ecclesiastics of all sorts, it was not difficult, under a cloth of the same color, to distinguish between the ministers of the two religions. An expression of sly disdain, accompanied with a joyous glit-



ter of the eye, gleamed over the parsons' faces; while the countenances of the Catholic clergy betrayed, in the rude play of their marked and impassioned features, the bitter consciousness of unmerited humiliation.

The dress of the two clerical parties presented a singular contrast. The priests were cased in huge top-boots of dubious and murky yellow and of bespattered black: the parsons' taper limbs were enclosed in tight and sable silk, which, by compressing, disclosed their plump proportions. The nameless integuments of the Popish ministers of the gospel were framed of substantial thickset, and bore evidence to the high trot of the rough-coated nags with which they had descended from the mountains; while the immaculate kerseymere of the parsons' inexpressibles indicated with what nicety they had picked their steps through all the mire of the Catholic multitude round the court. The priests' dingy waistcoats were close fastened to their neckcloths, and looked like an armor of economy; while the parsons' exhibited the finest cambric, wrought into minute and snow-white folds. A ponderous mantle of smoking frieze hung from the shoulders of the priest; while a well-shaped jerkin brought the parson's symmetries into relief. The parson held a pinch of Prince's Mixture between his liliated fingers, while the priest impelled a reiterated and ample mass of Lundifoot into his olfactory organ.\* The priest's cheek was ruddy with the keen air of the mountain and the glen, while the faint blush upon the parson's cheek left it a matter for conjecture, whether it proceeded from some remnant of nature, or was the result of the delicate tincture of art. The former sat near the dock, and the latter near the bench.

\* Lundifoot was a tobacconist in Dublin who made a large fortune by a snuff called "Irish Blackguard." The name thus originated: one of the workmen left the snuff so long in the oven that it became "high-dried." Lundifoot, detecting the neglect, scolded the man, and damned him for an Irish blackguard. On taking out the snuff, he tried a pinch of it (more in despair than hope), discovered that it had a new and peculiar flavor, and repeated the extra drying on a large scale. The snuff *took*, and when the workman was desired to name it, he called it "Irish Blackguard"—the appellation bestowed on himself.—Prince's Mixture is a dark, moist, scented snuff, much affected by George IV., when Prince of Wales.—M.

Besides the clergy of the two religions, I observed another class, whom, from their plain apparel and primitive aspect, I took for the friars of Wexford, but upon looking more closely I discovered my mistake. There was a grimness in their expression, quite foreign from the natural and easy cheerfulness of an Irish Franciscan; and in their disastrous and Calvinistic visages, their long, lank hair, and the gloomy leer of mingled hatred and derision with which they surveyed the Catholics around them, I beheld the ghostly "teachers of the Word."

A pause took place before the trial was called on, which rendered expectation more intense: at length Mr. Justice Johnson directed that the prisoner should be brought forward. Every eye was turned to the dock, and the prisoner stood at the bar. His figure was tall and dignified. A large black cloak with a scarlet collar was fastened with a clasp round his neck, but not so closely as to conceal the ample chest, across which his arms were loosely and resignedly folded. His strong black hair was bound with a velvet band, to conceal the recent incisions made by the Surgeon in his head. His countenance was smooth and finely chiseled; and it was observed by many that his features, which, though small, were marked, bore a miniature resemblance to Napoleon. His color was dead and chalky, and it was impossible to perceive the least play or variety of emotion about the mouth, which continued open, and of the color of ashes. On being called on to plead, he remained silent.

The Court was about to direct an inquiry whether he was "mute of malice," when it was seen by a glance of his eye, that he was conscious of the purport of the question; and by the directions of his counsel he pleaded not guilty. During the trial, which was conducted with the most exemplary moderation by the counsel for the crown, he retained his petrified and statue-like demeanor; and although the heat was most intense, the hue of his face and lips did not undergo the slightest change. The jury found that he had committed the direful act under the influence of insanity. Judge Johnson addressed him in a very striking and pathetic manner. He seemed to me to have blood in his eye for Prince Hohenloe,

whose miracles were then in vogue,\* and were supposed, however erroneously, to have contributed to the prisoner's infatuation. This was a mistake: he was organically insane, and was in reality as innocent as the poor child who had perished in his hands. The learned judge opened a masqued battery upon Bamberg,† and some of the shots reached to Rome: but he should not have forgotten that there is a form for exorcism in the Protestant as well as in the Roman Catholic ritual. The religion of England requires a further cleansing, and a new Reformation might be a judicious project.

\* Hohenloe was a German prince, who had taken holy orders in the Church of Rome, and was a man of such singular piety that it was believed, in Ireland, from 1822 to 1825, that his prayers, if offered specially in any particular case, would immediately effect a cure—no matter how severe the bodily ailment of the person prayed for.—M.

† The place, in Germany, of Prince Hohenloe's residence.—M



## JOHN DOHERTY.

MR. DOHERTY, whom his personal claims, assisted I presume by his political connections, and backed by the opposition of Lord Manners, have recommended as the new Solicitor-General of Ireland [1827], is six feet two inches high, and "every inch" a very estimable person. Tall as he is, there is nothing contemptuous or haughty in his carriage. He never proudly tosses up his chin, as if to let briefer specimens of humanity pass under. He delights not, like his learned and pious competitor for office, in soaring among the skies for the inward satisfaction of looking down upon other men; neither can he pass with the dexterous versatility of that holy Sergeant [Lefroy] from knotty questions of Chancery practice to the latest authorities for "nonsuiting the devil."\* He is, on the contrary, as terrestrial as can be in his habits and intercourse. His manners are friendly and forbearing, and his conversation enlivened by a temperate love of frolic, which endears his society to all those hardened sinners who have not yet been sainted into a due sense of the awful responsibility of joining in a hearty laugh.

As to more important points, he is admitted on all hands to be an extremely clever man. He is, and has been for some

\* An English writer of the 17th century has sketched "the character of a perfect lawyer," from which I extract the concluding sentence for the benefit of the learned saints of Ireland. "In a word, while he lives, he is the delight of the courts, the ornament of the bar, the glory of his profession, the patron of innocence, the upholder of right, the scourge of oppression, the terror of deceit, and the oracle of his country; and when death calls him to the bar of Heaven by a *habeas corpus cum causis*, he finds his judge his advocate, nonsuits the devil, obtains a *liberate* from all his infirmities, and continues still one of the long robe in glory."

years, the leader upon his circuit; and since he became so, has given unequivocal proofs that he possesses powers of no ordinary kind in swaying the decisions of a jury, while he has more recently, in the discussion of graver matters in the courts of Dublin, established a character for legal efficiency, which has been erroneously assumed to be incompatible with the more popular attributes of wit and eloquence. Resting upon a confidence in his qualifications, and sustained by a just ambition, Mr. Doherty long since announced by his conduct that he aspired to something more than the partial success which is founded upon the mere emoluments of place. Five years ago he resigned a lucrative office,\* of which he found the duties to interfere with his final objects, and, dedicating himself more exclusively to his profession, has prepared himself for those higher honors which he then predicted to lie within his reach.

As an advocate, his general style of treating serious topics has nothing so peculiarly his own as prominently to distinguish him from others. In his addresses to juries he is prompt, orderly, correct, and fluent—rarely attempting to inflame the passions to their highest pitch, but always warmly and forcibly inculcating the principles of common sense and practical good feeling; but when a case requires (in technical parlance) “to be laughed out of court” (and one half of the cases that enter there deserve to be so dismissed), Mr. Doherty exhibits powers of very striking and effective originality. I know of no one that more eminently possesses the difficult talent of enlisting a jury on his side by a continued strain of good-humored, gentlemanlike irony—consisting of mock-heroic encomiums, sarcastic deference, and appropriate parodies upon arguments and illustrations, delivered (as long as gravity is possible) with a most meritorious solemnity of countenance, and a certain artful kindness of tone, that heightens the absurdity it exposes, by affecting to commiserate it. He is also distinguished for his ability in cross-examination—a quality which has rendered him, in his capacity of crown-prosecutor upon his circuit, a formidable co-operator in the enforcement of the laws.

\* Commissioner of Inquiry into Courts of Justice in Ireland—the salary twelve hundred pounds sterling a year.—M.

Recent events have brought this gentleman into prominent view before the Irish public, and have arrayed in his interest a degree of popular favor which is rarely tendered to a future adviser of state-prosecutions. Upon the late vacancy of the Solicitor-Generalship for Ireland (an office upon which its long tenure by the present Lord Chief-Justice Bushe has conferred a kind of classic dignity), a variety of concurring circumstances—the respectability of his personal character—his professional competency—the known liberality of his political opinions—and his parliamentary and private relations with the prime minister of England—pointed out Mr. Doherty as one of the fittest persons to be raised to the situation.

I should be unjust to others if I were to assert that he was in every possible respect the very fittest. I can not overlook, the Irish public did not overlook, the claims of such a man as Mr. Wallace, founded as they are upon eminent professional station, tried public character, and (the penalty of the latter) a long and systematic exclusion from office. Mr. Holmes is another.\* He was spoken of, and well deserved it. His professional life has been one continued manly appeal to the public; and the public, doing all they could for him, have placed him at the head of his profession. In his political principles he has been honest and immutable, careless of patronage, and prizing above all things his self-respect. Another of the same school and stamp is Mr. Perrin, a younger man by many years—too young, perhaps, to be raised to professional honors by merit alone.† His name was not mentioned upon the occasion re-

\* Robert Holmes, for many years Father of the Irish Bar, made his last public appearance (of any consequence) in the State Trials arising out of the O'Connell Monster meetings of 1843, holding a brief for the Crown. He was then seventy-three years old. He was a lawyer of much ability, a man of great private worth. He was married to Emmett's sister-in-law, and, on suspicion of holding the same political opinions, was arrested, in 1803, and imprisoned for some months. He repeatedly refused a silk gown, preferring his station as a plain barrister to the rank of King's Counsel.—M.

† Louis Perrin, now second Judge of the Queen's Bench, is the son of a teacher of languages in Dublin, who compiled an excellent French Dictionary. His family came to Ireland, to avoid persecution in France, as Huguenots. The son, born in 1783, and called to the bar in 1806, speedily became eminent for his knowledge of criminal and revenue law. At Nisi Prius he was also distin-



ferred to, but where a fitness for the public service is in question, I can not in fairness pass it by. He commenced his career at a period (the most dismal in the annals of the Irish bar) when public spirit led to martyrdom; but he was one of the few that were too strong to be suppressed. He prospered in despite of his inflexible adherence to the opinions of his youth, and (a rare event in the life of a liberal Irishman) has lived to see the day when such opinions are no longer to disqualify. I could mention others. Mr. North, for example, was in every way suited by character, acquirements, and enlightened views, to bear a part in a reformed government of Ireland. So was Mr. Crampton,\* who, though more absorbed in his profession,

guished, and had a calm, earnest manner (the result of his somewhat saturnine temperament), which had much weight with juries. Strongly supported on the liberal interest, by Lord Anglesey's Government, Mr. Perrin contested the representation of Dublin city, at the general election, in 1831, and was returned with Mr. (afterward Sir Thomas) Harty. Both were soon unseated on petition. At the election in 1832, following the passing of the Reform Bill, Mr. Perrin successfully contested Monaghan County. The whigs made him Solicitor-General, under Attorney-General O'Loughlin. In Parliament, he was an industrious man who carefully attended to the contents and revision of Irish Bills. The Whigs placed him on the Bench, and he has there given general satisfaction. In the O'Connell trials of 1844, he was one of the Judges—the others being Pennefather, Burton, and Crampton. During these State Trials, he did not conceal nor cloak his opinion that many of the objections, as to the legality of some of the proceedings, made by the defendants (O'Connell and his friends) were well founded—but he was overruled by the majority. Judge Perrin has always been a consistent liberal in politics. Between O'Connell and himself there was a warm friendship of long standing. He is now [1854] seventy years of age.—M.

\* Charles Cecil Crampton, born in 1783, was called to the bar in 1810. After a very distinguished University career, he first became Fellow of, and subsequently Law-Professor to, Trinity College. He entered Parliament for the borough of Dungarvan, and became Solicitor-General to the Whig Government of 1830. He was raised to the Bench earlier than usual, owing to his being disliked by Mr. O'Connell, who, on that account, could not work pleasantly with him. The Whigs, who then ruled Ireland through O'Connell, made Mr. Crampton a Judge, on the earliest vacancy—to get him out of the way. Judge Crampton never was an eloquent man, but it is supposed that he had as much *Nisi-Prius* practice as any Irish lawyer, in his time. Long before the Temperance Movement had been commenced by Father Matthew, it was well known that Judge Crampton was a water-drinker. When he became so, on principle, he proved the sincerity of his profession, by starting the valuable contents of

and more circumspect in his avowals, has always had the spirit to keep aloof from the base expedients that led to advancement at the Irish bar.

I have introduced those names without any invidious design toward the immediate subject of the present sketch. On the contrary, I could not easily produce a more complimentary test of his personal and professional estimation than the fact that the postponement of such men to him was acquiesced in without a murmur from the bar or the public. His individual qualifications were fully admitted; and it was further borne in mind that the circumstance of his having a seat in the House of Commons, where one at the least of the law-officers of the Crown should be present to answer for their acts, afforded in his favor an obvious and powerful ground of preference. The Lord-Chancellor of Ireland, however, decided otherwise; and, without presuming to usurp the jurisdiction of the House of Peers, or to emulate its frequent severity toward his Lordship's judicial errors, I may perhaps be permitted to investigate the reasons and the value of his decision in the present instance.

Lord Manners is a nobleman of high English blood, and in his individual capacity, and when left to himself, is marked by all the thoroughbred attributes that belong to his race. As a private man, and apart from politics, he is dignified, courteous, just, and generous. His moral instincts are all aided and enforced by the honorable pride of the peer and the gentleman; he recoils from what is base, not only because it is so, but because to act otherwise would be unworthy of the blood of the Rutlands. Though of a temperament rather irritable than warm, he is fervid and steadfast in his friendships. In his private intercourse there is an easy simplicity of manner, and a condescending familiarity of tone, that not only fascinates his immediate adherents, but even charms down the resentment of the Catholic Squire, to whom he explains the political impossibility of granting him the commission of the peace. Many of these qualities follow Lord Manners to the judgment-seat, but in company with others which greatly detract from their

his wine-cellar into the stream which flows through his villa-demesne in the County Wicklow. Judge Crampton is now [1854] seventy years of age.—M

influence. It is not so easy a matter to be a great judge as a perfect gentleman. That he is the latter, his Lordship's enemies must admit; that he ever could be the former, even Sergeant Lefroy has scrupulously abstained from insinuating—the contrary, and the cause of it, were too palpable.

In the decisions of Lord Manners, even in those now prostrate ones at which the Chancellor of England shook his sides as samples of provincial equity, there were no symptoms of impatient or perverted strength of intellect rushing vigorously to a wrong conclusion. The judicial defects of Lord Manners have another origin—a natural delicacy of mental constitution, which incapacitates him for the labors of legal dialectics. As far as a mere passive operation of the mind is required for collecting a series of naked facts, he shows no deficiency of perception or retention. The settlements, marriages, deaths, and incumbrances, that form the ordinary staple of a chancery suit, he can master with sufficient expertness; and, probably, not the less so from having his attention unmolested during the process by any logical speculations upon their bearings on the issue; but whenever an active effort of thought is wanting for the comprehending and elucidating a complicated question, the organic failing of his mind breaks out. Submit two propositions to him, and, if they be in immediate juxtaposition, he can perceive as quickly as another whether they correspond or differ; but if (as in the case of most legal problems) their relation is discoverable only by a process of intermediate comparisons, no sooner has the advocate advanced a step in the operation, than he is left to proceed alone, the Chancellor remaining stock still at the starting-point, and looking on with a polite, fastidious smile, as if he were rather determined not to be misled than unable to follow. The consequence of this habitual inertness of intellect is, that the fate of every case of difficulty that comes before him must be more or less an affair of chance, depending not so much upon its various aspects, as upon the precise point of elevation to which his mind can be possibly uplifted for the purpose of inspection.

Lord Manners's inaptitude for compound reasoning was well known to Lord Plunket, who would often practise upon it with



the unrelenting dexterity of a hardened logician. It was at once interesting and amusing to see that consummate advocate, when nothing else remained, resorting to a series of subtle stratagems, of which none but himself could discern the object, until the last movement being completed, presented the victim of his craft pent up in an equitable defile from which there was no escaping. If he attempted it on one side, there stood Vesey Junior guarding the pass; if on the other, his own Stackpoole and Stackpoole (as just reversed in the Lords') stopped the way; Hardwicke\* and Camden overawed his rear; common sense and the Attorney-General kept annoying his front, until the keeper of the Irish seals, exhausted though unconvinced, would frankly admit that he was "perplexed in the extreme," and, casting a wistful eye at Mr. Saurin, demand four-and-twenty hours to clear his thoughts. It required, however, all the authoritative ability of such a man as the late Attorney-General to extract such an admission from his Lordship. To others, whom there was less risk of provoking by impatience,

\* Philip Yorke, born 1690, was the son of an attorney at Dover. Called to the bar in 1714, he entered Parliament in 1718, and (though the youngest counsel on the Western Circuit) was appointed Solicitor-General, in 1720, on the recommendation of Lord Chancellor Macclesfield. In 1723, when he was made Attorney-General, he refused to act on the impeachment of Lord Macclesfield, his first patron, and defended him, in the House of Commons from the attacks of Mr. Sergeant Pengelly. In 1733, was made Lord Chief-Justice of England, and raised to the peerage, as Baron Hardwicke. He was appointed Lord Chancellor in 1737, and during the twenty years he held that office, only three of his judgments were even questioned, and these were confirmed, on appeal, by the House of Lords. In 1754 he was raised to an Earldom, and resigned office in 1756. He died in 1764, leaving a reputation very high indeed. His knowledge of law and equity was great. So were his learning and his ready application of it. Lord Mansfield, Burke, and the noted John Wilkes, each characterized him in the same words—"When Hardwicke pronounced his decrees, Wisdom herself might be supposed to speak." He trifled with literature, which he liked. He wrote "The Legal Judicature in Chancery stated," and, when only two-and-twenty, sent Addison a paper, on the disadvantage of young men going abroad too early: it has the signature Philip Homebred, and forms No. 364 of *The Spectator*. Sending a present of a hare, he despatched the following epigram with it:—

"Mitto tibi leporem; gratos mihi mitte lepores;  
Sal mea commendat munera, vestra sales."—M.

he has always given it to be clearly understood that, when once he had succeeded in forming an opinion, he did not expect to be pressed by arguments against it. In doing this he did not intend to be unjust; he merely shrunk from the mental labor of reinvestigating the grounds of a conclusion, at which, whether right or wrong, he had found it no easy task to arrive: but the consequence of his known irritability upon such occasions has inevitably been to place a counsel in the embarrassing predicament of either surrendering his case before it is thoroughly discussed, or of exposing himself by his perseverance to the imputation of being wanting in respect to the Court.

A Chancellor of Ireland is necessarily a politician, and I confidently believe that Lord Manners had as anxious a wish to be a beneficent statesman as to be a just judge, but it could not be. He came to Ireland with the prejudices of the cradle upon the questions that agitate her; and in a mind like his, such prejudices are fondly cherished as easy of comprehension, and saving the necessity of more laborious investigation. Tell this amiable nobleman that the dread of Popery is no more the foundation of British freedom than the fear of goblins is the basis of religion, and he starts as if you proposed an immediate dissolution of society. Insinuate that the only known method of consolidating an empire is by communicating equal rights and benefits to all its parts, and his prophetic eye beholds a picture inconceivably appalling—the Pope on the throne of Ireland; Doctor Doyle, Archbishop of Dublin;\* Mr. O'Connell, Lord High-Chancellor; Mr. Purcel O'Gorman, principal Secretary for Papal affairs; and, worse than all, Mr. Sheil sworn in as Solicitor-General before he was actually more than twenty years at the bar!

This chronic distemper of the mind has influenced almost

\* The Reverend James Doyle, D. D., Roman Catholic Bishop of Kildare and Leighlin, was a very eminent writer on polemics and politics. His examination, in 1825, on the State of Ireland, taken before a Committee of the House of Lords, was full of sound information, and excited general admiration. His writings chiefly appeared with the signature J. K. L.—the initials of his own Christian name and that of his diocese. Of Bishop Doyle a further notice will be found on page 382.—M.

all Lord Manners's political acts : his government of the magistracy, his recommendations to office, and (what in Ireland may be called a political act) the selection of his personal favorites. Even the speculators in a preposterous theology, which Lord Manners never liked, found favor in his sight, in consideration of their rapturous concurrence in his worldly misconceptions. He was at all times willing to meet a senior or junior saint anywhere but at the Bethesda, and to hear anything from their lips except an extemporary exhortation. It was quite impossible that a person so single-hearted and unsuspecting should fail to be the frequent dupe of those intelligent devotees. It is recorded of that ingenious personage, immortalized as Mr. Dexter in the novel of "O'Donnell," that he was in the habit, for his own shrewd purposes, of keeping close to the Irish Chancellor (who is a keen sportsman, though an indifferent shot), upon his shooting excursions through Lord Abercorn's grounds. Every bird that rose was missed by the peer, and contemporaneously brought down by his unerring companion, who, with pretended mortification, and an effrontery of adulation known only to Irish parasites, would bluster about the unfairness of being anticipated in every shot; and, after a day thus turned to good account, would bring back the illustrious sportsman loaded with imaginary spoils, and exulting in his undiminished accuracy of aim. It was not only in the fields of Barons Court that his Lordship has been attended by men as dexterous as Mr. Dexter. He was too obvious an instrument not to be surrounded by practised political marksmen, who were ever ready, for their own substantial objects, to give him all the use and glory of their skill. Having no taste for general reading or solitary meditation, he has dedicated his extra-judicial hours to social ease, and naturally fell into a companionship with those who were least disposed to shake his faith in his prejudices. It was not in the Huguenot recollections of Mr. Saurin, nor in the colloquial revelations of Mr. Sergeant Lefroy, that a public functionary in Ireland could be expected to be weaned of his political antipathies. The extent of those antipathies, and their undeviating influence upon his Lordship's public acts, may be collected from a single fact. Among the



legal appointments in the gift of the Irish Chancellor, there are about thirty commissionerships of bankrupts; and, during the twenty years that Lord Manners has held the seals, not one Catholic barrister has been named to a place.

An important branch of the Irish Chancellor's patronage, and one that he has exercised with more profusion than any of his predecessors, is the nomination of King's Counsel. The subject demands a short notice of the nature and incidents of this appointment. The legal fiction is (as the term imports), that a certain number of barristers are selected to conduct the necessary business of the Crown. In point of fact they are utterly unnecessary, and, as such, unemployed for that purpose. The business of the Crown can be, and is, fully discharged by the Attorney and Solicitor General and the three Sergeants upon important occasions; and, in ordinary matters, by the several Crown-prosecutors, who are chosen indiscriminately from the bar. The Attorney-General is bound to provide for the proper conduct of Crown-prosecutions, and, as he can not be present in his own person, he substitutes in his place certain individuals, for whose efficiency he is responsible; of these a considerable portion, upon some of the circuits one half, are at this moment stuff-gowns. But however rarely the King may in point of fact have occasion for the services of his nominal counsel, they are by a similar fiction of law presumed to be at all times occupied with the business of the Crown, and therefore entitled to precedence in the Courts. This, to a barrister of ordinary efficiency, is an important personal advantage. It enables him to bring on his motions to a speedy decision, and thus establishes, for those who enjoy the privilege, a profitable monopoly of an extensive branch of general business. The only exception is in the Rolls Court; where, by a regulation of the present Master of the Rolls, the several motions for the day are entered in a list according to the date of the notice, and called on in regular rotation. There is, consequently, no precedency among the counsel; and the result (which can be scarcely accidental) is, that in that Court the great mass of the very important business transacted there is distributed among the members of the outer bar. In all the other Courts

a large portion of the general business is withdrawn from the outer bar, and distributed among the privileged few. In common fairness, therefore, to the profession at large, and also to the suitor, who ought to be left as uncontrolled as possible in the selection of his counsel, personal privileges of this kind, which thus work a detriment to others, should be very sparingly conferred. In former times, a silk-gown was given as an honorary distinction to an already eminent barrister, and not as a recommendation to business. Thirty years ago there were only sixteen King's Counsel, and since then the general business of the bar has materially decreased. There are now forty-three—all, with a few exceptions, of Lord Manners's creation. The number has, in fact, become so excessive, that it has been found necessary to alter the old arrangement of the Courts, in order to supply them all with seats. At the English bar, where public opinion has some influence, there were, at the commencement of the present year [1827], only twenty-eight King's Counsel.

When Mr. Doherty was lately nominated to the vacant Solicitor-Generalship for Ireland, Lord Manners interposed, and for some weeks refused to swear him in. The measure was as unprecedented as the reason assigned; namely, that the gentleman in question, who is of twenty years' standing, was too youthful a barrister to be lifted over the heads of certain meritorious seniors. The principle sounded fairly enough in the ears of the one or two who hoped to profit by it, but it had not the slightest foundation in established usage. There has been no such thing at the Irish bar as even a vague expectation that promotion was to be regulated by length of standing, and least of all, promotion to the office in question, which may be said to partake more of a political than a legal character. It is only necessary to refer to the appointments since the Union; they are as follows:—

Sir John Stewart, eighteen years at the bar.

Mr. O'Grady (now Chief Baron of the Exchequer), fifteen years at the bar.

Mr. McClelland (now Baron of the Exchequer), thirteen years at the bar.

Mr. Plunket (now Chief-Justice of the Common Pleas), seventeen years at the bar.

Mr. Bushe (now Chief-Justice of the King's Bench), thirteen years at the bar.

The list closes with the present Attorney-General, Mr. Joy [1827]. He had certainly obtained the maturity of standing, which has at length been discovered to be so indispensable a qualification; but who, that ever gave a thought to the reasons for *his* appointment, does not know that he was made Solicitor-General in 1822, not because he happened to be a Sergeant, not because he was well stricken in legal years, but because there was in his person a coincidence of professional and political requisites which accorded with the project of a balanced Administration. So far as the question of seniority is concerned, he formed an exception to the general practice.

Overlooking, however, the objection that Mr. Doherty is not old enough in his profession to be a "promising young man"—a grave legal maxim, for which Lord Manners has the high authority of Mr. Sergeant Flower—I would say that the political circumstances of Ireland afford some very serious reasons for the selection of this gentleman, and the rejection of the class of competitors that Lord Manners would have preferred. The late purification of the British Cabinet\* has opened new

\* George Canning was appointed Governor-General of India in 1822, had prepared for his departure, and publicly taken leave of his constituents at Liverpool, when the Marquis of Londonderry (Castlereagh) committed suicide. The foreign secretaryship thus became vacant. George IV. (who had not forgiven him for going to the Continent, and offering to resign his office of President of the Board of Control, rather than assist in the prosecution and persecution of Queen Caroline, whom he had spoken of in Parliament as "the grace, life, and ornament of society") hesitated to appoint Canning. He did so, however, and Canning thereby became the *virtual* head of the Administration, the *nominal* head being Lord Liverpool, who was obliged to take large and daily doses of ether to strengthen his nerves, and who confessed that, for years, he had never received his letters in the morning without dreading to open them, for fear that they should give him notice of an insurrection in some part of the country. Croly (a Tory) says of him that his system was to glide on from year to year, and think that his business was amply done, if the twelve months passed without a rebellion, a war, or a national bankruptcy; to shrink from every improvement in his terror of change; and to tolerate every old abuse, through dread of giving the nation a habit of inquiry. Yet this man had ruled



prospects to the Catholics of Ireland, and (what a wise and considerate government should never overlook) has inspired their leaders with a sanguine and determined forbearance sel-

England, with a mind thus enfeebled, for fifteen years ! From 1822 until February, 1827, when Lord Liverpool was attacked by paralysis, Canning may be said to have ruled the country. Some weeks elapsed before Lord Liverpool's place was filled up—in the interval (early in March), Canning made a powerful speech in Parliament, in support of Catholic Emancipation, which was lost by a majority of four only. At last, on April 12, 1827, it was announced that Canning had been appointed Prime Minister. Suddenly and simultaneously, Wellington, Peel, Eldon, and three others of Canning's colleagues in the Cabinet, resigned. He formed a ministry consisting of liberals—but the Tories formed a compact opposition, aided by "the old whigs," headed by Earl Grey. This latter party, not very numerous then, consisted of those who thought that certain noble families, on either side, had a sort of hereditary right to govern the country. Perhaps, also, Lord Grey recollected that, in a keen satire on "All the Talents," written by Canning, twenty years before, Temple's wit and Sidmouth's firmness, had been slyly contrasted with

———"the temper of Grey,  
And Treasurer Sheridan's promise to pay."

At all events, Lord Grey strongly and haughtily opposed Canning's ministry. The Irish Catholics, who saw in the new Premier one of their most eloquent advocates, and who speedily felt the advantages accruing from the charges he made *personnalité* of the Irish Government, naturally entertained the highest hopes from the promotion of their friend. He had to contend, in ill health, with a very strong and ruthless opposition in Parliament which "hounded him on to death" (to use the words of Lord George Bentinck's accusation of Peel, at a later day), and a Premier who would have carried out the most liberal measures, had he lived, died in the Duke of Devonshire's house, at Chiswick, near London, on August 8, 1827, aged 57, in the very same room where, twenty-one years' earlier, Charles James Fox had breathed his last—much about the same age; each being liberal in politics, each crowning the labors of a life of active ambition, by finally obtaining the highest office—to hold it for a few months and "die in harness." Canning was succeeded, as Premier, by Lord Goderich, who had not talent or influence to govern. In January, 1828, the reins of empire passed from his weak hands to those of Wellington—the avowed opponent of the Catholic claims. Then, in despair and defiance, came the Clare Election, which led, in the Duke's opinion, to one of two things—a civil war or Catholic Emancipation. The soldier, sagacious by reason of his long experience in war, preferred to yield—on the plea of necessity. This he did in 1829. Next year, he was too proud to grant Parliamentary Reform, on the same grounds, and was defeated. The Whigs came into power, headed by Lord Grey, and after the severest Parliamentary struggle ever known—stretching through two Parliaments and two years' excitement—was passed that ~~reform~~

dom manifested by the directors of a popular body. The skill and prudence with which Mr. O'Connell and his colleagues, at the risk of their popularity, have prevailed upon their ardent countrymen to accommodate their temper to the exigencies of the occasion, justly merited every practical acknowledgment that could be tendered by the new Administration. Next to the final consummation of their hopes, the Irish Catholics annex the utmost importance to the official appointments of persons in whom they can confide; and most of all in the case of the legal advisers of the Crown, upon whose individual characters and political tenets they know by experience that the decision of many questions affecting their interests depends.

But, however sensitive upon this point, they evinced no disposition, at the recent crisis, to embarrass the Government, by exacting more than could be conveniently accorded. Though well aware of Mr. Joy's hostility to their cause, they allowed his personal claims to outweigh their wishes, and acquiesced, as a matter of state necessity, in his elevation to the vacant Attorney-Generalship; but farther than this they could not be expected to go. They saw that the Government was free to choose his colleague, and very reasonably considered that their feelings and interests should be consulted in the selection. Had this expectation been baffled—had a political favorite of Lord Manners been raised to a condition of suggesting subtle reasons for disturbing the public tranquillity by the prosecution of the Catholic leaders, the most disastrous results would have ensued; all confidence in the professions of the new Minister would have been at an end. The Catholic Association would have instantly exploded, and have been quickly involved in angry collisions with the Government, fatal alike to their own interests and to the stability of the Administration from which they have so much to hope. These lamentable consequences have, however, been prevented. The spirit of a better and juster policy prevailed. Mr. Doherty was preferred; and the measure was no sooner announced, than its propriety was sanc-

in the parliamentary representation of the people, which now [1854] is to be extended, on the ground of the incompleteness of the previous measure of 1832.—M.

tioned by the public and unequivocal satisfaction of that body which it was of such vital moment to conciliate.\*

The mere legal duties of the office to which Mr. Doherty has been called might be easily discharged by a person of professional qualifications much inferior to his; but it embraces other duties, demanding requisites of another and less common kind. It is now notorious that the Catholic question (however opinions may vary upon its relative importance) is the one upon which the fate of administrations depends, and most peculiarly the fate of the present administration. The Catholics of Ireland, though not yet arrived at the maturity of strength and influence in the empire which, when attained, must insure an adjustment of their claims, have it at all times in their power to resort to proceedings incompatible with the continuance of their friends in office. Hence the relation of that body with the Government of the country, at the present juncture, is one

\* John Doherty, who was Chief-Justice of the Common Pleas in Ireland, for twenty years, was called to the bar in 1808, made King's Counsel in 1823, Solicitor-General in 1827, and was Chief-Justice from 1830 until September, 1850, when he died. Doherty, related on the maternal side to Colonel Verner, M. P. for Armagh, and by his father's family to Canning, came into Parliament in 1826, as Member for Kilkenny. When Canning became Premier, he raised Doherty to the position of Irish Solicitor. His knowledge of the *science* of law was by no means extensive, but his sagacity was great, his industry exemplary, and his sense of Justice pre-eminently powerful. It is said that of all the opponents who measured weapons with O'Connell in Parliament, the most successful, and certainly one of the most undaunted, was Mr. Doherty. Their chief encounter took place in May, 1830, shortly before Doherty was made a Judge, and O'Connell fiercely attacked him for his conduct as Crown lawyer, in what was called The Doneraile Conspiracy. He was met and answered, at all points, by Doherty, who (in the opinion of the Anti-O'Connellites, at least), silenced, if he did not convince, his assailant. Peel had such a favorable recollection of this word-duel that, in 1834, when he formed his first ministry, he solicited Doherty to resign his judicial office, and to return to the House of Commons, as one of the Cabinet. This was declined, whereupon Peel repeated his entreaty, offering to raise him to the House of Lords. Chief-Justice Doherty again declined, and Peel struggled on without his aid during the four months of his bold experiment of governing against the popular will. In 1846, before finally quitting office, it is said that Peel again offered a peerage to Doherty, who was compelled to decline it, from want of means to provide for the support of the dignity, having entered largely into railway speculations, during the preceding joint-stock-bubble year, and thereby lost the bulk of his fortune.—M.



of unexampled delicacy ; and as such requires the nicest management in sustaining them under the fatigues of protracted hope, and in preventing them from confounding inevitable delays with an abandonment of their cause by their professed supporters. It would be too much to expect that indications of this latter feeling will not occasionally break out, and in forms that may render it doubtful whether the due limits of popular discussion have been observed. Upon such questions, when they arise, the law-officers of the Crown will have to advise ; and, to advise with discretion, they must have something more than a knowledge of the law. There must be good temper, good sense, good will toward the parties concerned, and a strong public interest in preserving the state from the embarrassments that would follow a hasty prosecution. These important moral qualifications (if he be true to the tenor of his past life) will be found in Mr. Doherty's official character ; and along with them a great practical skill in winning over the tempers of others to a given object, which eminently fits him for the task of mediating between the occasional effervescence of his Catholic countrymen and the literal rigor of the law. He will also—but I have pursued the subject far enough, and in dwelling so long upon it I feel it to be only an act of common justice to an estimable individual to record the opinion of the Irish public upon the cruel but unavailing attempt that has been made to mar his prospects, and to bring discredit upon the Government that thought him worthy of their trust.

The voice of the country in which Mr. Doherty is best known has sustained him through this important crisis of his life. The zeal with which his case was taken up by the Irish community, though a merited, was a most essential service, and claims at his hands every possible public return that he can make. He may personally forgive the Irish Chancellor for the wrong inflicted on him ; but for the sake of others, if not for his own, he must bear it keenly in his memory, and, stimulated by the recollection, make his future conduct a practical refutation of the pretexts for crushing him, and thereby afford an unanswerable justification of the Government that placed him where he is, and of the public that so warmly approved of the choice.

What is expected from him as an officer of the Crown I have already intimated; but he will have other and more comprehensive opportunities of retorting upon Lord Manners his public services. He will shortly resume his seat in the House of Commons, under circumstances that will secure for him an effective co-operation in every salutary measure that he proposes; and he must not allow the indolence of success, or a groundless diffidence, to restrain him from turning his facilities to a useful account. Hitherto he has prudently abstained from trusting his reputation to the precarious effect of sample-speeches; and his continued abstinence will be justly applauded, if he aspires to the better fame of making the statute-book speak for him.

I have heard that he has for some time past been meditating a simplification of the Irish bankrupt-law. This is a favorable omen; but his ambition, to be of service, must not be limited to matters of subordinate moment. It would be neither easy nor in place to enumerate here the various legislative wants of Ireland; but I can not avoid suggesting that there is one subject of the highest national interest as yet unappropriated by any Irish member, and holding out an assurance of the lasting importance that follows public services to any competent individual who shall make it his peculiar care: I allude to the civilization of the Irish criminal code. Such a project would be immediately within the scope of Mr. Doherty's studies and experience; much of the first and most deterring labor of the task would be saved by the adoption of Mr. Peel's general plan,\* while enough would remain in the modifications required by the particular state of Irish society, to give the undertaking a higher character than that of a servile imitation.

\* The late Sir Robert Peel was an eminently practical man of business. In 1817, when he was Irish Secretary, he introduced the excellent police system now in operation in Ireland—from him the policemen are called Peelers. Thirteen years later, he modified that system and adapted it to London, where it continues to be very efficient. In 1826, he commenced his admirable attempts to soften the rigor of our criminal code, and succeeded in mitigating the severity of laws, which, in consequence of their harshness, had become nearly inoperative. Nor, when he quitted office, in 1827 (on Canning's becoming Premier), did he relinquish this course of humanity and reason.—M.

## THE DUBLIN TABINET BALL.

A LARGE district of Dublin, commonly called "The Liberty," is occupied by the manufacturers of tabinet. This part of the city exhibits at all times a disagreeable aspect. It is a labyrinth of narrow lanes, composed of old and crazy houses, and is choked with nastiness of every kind: Even when its enormous population is in active employment, the senses are shocked with much odious circumstance; but when labor is suspended, as is often the case, and the inhabitants are thrown out of employment, a spectacle of wretchedness is presented in this quarter of the Irish metropolis, of which it would require the genius of Mr. Crabbe for the delineation of misery to convey any adequate picture.

In the last month the manufacturing class have been without occupation or food. I passed, not very many days ago, through the district in which they chiefly reside, and do not recollect to have ever witnessed a more distressing scene. The streets may be said to have swarmed with want. With starvation and despair in their countenances, and with their arms hanging in listlessness at their sides, hundreds of emaciated men stood in groups at every corner. They gaped on every person of the better class who chanced to pass them, with the vacant earnestness of famine; and when the equipage of some pampered and vain-glorious citizen rolled by, it was painful to observe in the expression of their faces the dumb comparison with their own condition, which was passing through their minds.

The doors of the houses lay wide open, and, lighted up as they were with the new and brilliant sunshine of May, afforded



an insight into the recesses of internal wretchedness. Their wives and children were seen huddled up together, with scarcely a shred of raiment upon their discolored and emaciated limbs. Their beds and blankets had been transferred to the pawnbrokers; and of their furniture, nothing but the mere fixtures remained. The ashes round the hearth seemed to be of a week's standing; and it was easy to perceive that the few potato-skins, scattered about the floor, were the relics of a repast of no very recent date. Silence in general prevailed through these receptacles of calamity, except that now and then I heard the wailing of a child, who called with a feeble cry for bread. Most of these houses of affliction were deserted by the men, who stood in frightful gatherings in the public way. But here and there I observed the wan but athletic father of a family, sitting in the interior of his hovel, with his hands locked upon his knee, surrounded by his children, of whose presence he appeared to be scarcely conscious, and with his wild and matted hair, his fixed and maddening eye, his hard and stony lip, exhibiting a personification of despair; and, if I may so say, looking like the Ugolino of "The Liberty."

Whatever may be the faults of the Irish character, insensibility to distress is not among them. Much substantial and practical commiseration was exhibited among the higher orders for the sufferings of the unfortunate manufacturers, and various expedients were adopted for their relief. It was, among other devices of benevolence, suggested to the Marchioness of Wellesley, that a public ball at the Rotunda would be of use, and accordingly a "Tabinet Ball," under the auspices of that fair and newly-ennobled lady, was announced. The notice was given in order to afford the young ladies in the country an opportunity of coming to town, and the 11th of May [1826] was fixed for the metropolitan *fête*. Peremptory orders were issued at the Castle, that no person should appear in any other than Irish manufacture. A great sensation was produced by what in such a provincial town as Dublin may be considered as an event. Crowds of families flocked from all parts of the country; and if any prudential grazier remon-

strated against the expense of a journey to the metropolis, the eyes of the young ladies having duly filled with tears, and mamma having protested that Mr. O'Flaherty might as well send the girls to a convent, and doom them to old-maidenhood for life, the old carriage was ordered to the hall-door, and came creaking into town, laden with the rural belles, who were to make a conquest at the "Tabinet Ball." The arrival of the important day was looked for with impatience, and many a young heart was kept beating under its virgin zone at the pleasurable anticipation. In the interval much good was accomplished, and Terpsichore set the loom at work. Every milliner's shop gave notes of profuse and prodigal preparation.

At last the 11th of May arrived, and at about ten o'clock the city shook with the roll of carriages hurrying from all quarters to the Rotunda. Not very long ago, Doctor Brinkley, the astronomer,\* took the noise of a newly-established manufactory for the indication of an approaching earthquake; and if he had not been removed since then from the contemplation of the stars, he would, in all likelihood, have taken the concussion of the Tabinet Ball night, for the earthquake itself. The love of dancing is not among my addictions, and it is the tendency of most persons of my profession to set up as a kind of spurious Childe-Harolds upon occasions of this kind; but as the object of the ball was national, and I was solicitous to take a close survey of Lord Wellesley and his Transatlantic bride, I resolved to join the festive gathering, which charity and its amiable patroness had assembled.

The Rotunda, where the ball was given, is a very beautiful building, erected, I believe, by Sir William Chambers,† and

\* Dr. John Brinkley was an Englishman, born in 1760. He was educated at Oxford, and was appointed, on the repute he had gained for his scientific acquirements, to the Professorship of Astronomy in the University of Dublin. He remained in this office until he was made Bishop of Cloyne. He died in 1835. He was the discoverer, in 1814, of the parallax of the fixed stars.—M.

† Sir William Chambers, architect, was a native of Scotland, and erected Somerset House, in London, a palatial edifice of much beauty, appropriated to offices for several of the Government departments. He wrote a valuable work on "Civil Architecture," and died in 1796. He was knighted by the King of

is one of those models of pure architecture with which Dublin abounds. Upon entering it, how different was the scene from that with which it was associated, and how strong a contrast was presented between the gorgeous and glittering spectacle before me, and that which I have endeavored to describe. My mind still retained some of those mournful reflections which the contemplation of misery had produced; and when I found myself surrounded with a blaze of intense and brilliant illumination, and encompassed by a crowd glittering with splendor, youth, and beauty, and moving in measure to exhilarating music, the naked and half-famished wretches, whom I had seen so recently, rose like phantoms in my memory, and my imagination went back to the abode of starvation, and to "the house of wo." I did not, however, permit these melancholy reflections to lay any permanent hold upon me; and indeed the recollection that pleasure was made in this instance to minister to the relief of sorrow, should have reconciled a person of a much more ascetic quality of mind than I am, to a participation of the enjoyments of so brilliant a scene.

I question whether in London itself, however it may surpass our metropolis in wealth and grandeur, more splendor in alliance with good taste could readily be displayed. There was an immense assemblage of young and beautiful women, dressed in an attire which, instead of impairing, tended to set off the loveliness of their aspects, and the symmetry of their fine forms—that sweetness and innocency of expression which characterizes an Irish lady, sat upon their faces; modesty,

Sweden.—Under the present regulations, no British subject can receive or assume any title conferred by a foreigner, nor wear the insignia of any foreign Order, without special permission from his own sovereign. Foreign titles have been conferred upon several British subjects. John Duke of Marlborough was made a Prince of the Holy Roman Empire by the Emperor of Germany; Nelson was created Duke of Bronte, in Sicily, with the grant of an estate, by the King of Naples; Wellington, was made Duke of Ciudad Rodrigo, with an estate, by the Junta of Spain, and Duke of Victoria by the Regent of Portugal, as well as Prince of Waterloo, by the King of the Netherlands; and Sir Charles Napier, for his naval services in restoring Queen Donna Maria to the throne of Portugal, was made Count Cape St. Vincent, by Don Pedro, having previously received a title from the King of the Two Sicilies, for his gallant capture of the Isle of Ponza.—M.



kindness, and vivacity, played in their features; and grace and joyousness swayed the movement of limbs which Chantrey would not disdain to select for a model.\* While I was looking upon this fine spectacle with some feeling of national pride, it was announced that Lord Wellesley and the Marchioness were about to enter the room. There was a sudden cessation in the dancing, and the light airs to which the crowd had been moving were exchanged for the Royal Anthem. I had never observed the Marquis so nearly as to form a very accurate notion of him, and his beautiful American I had never seen. I felt a strong curiosity about her. A Yankee, and a Papist, turned into a Vice-Queen!! There was something strange in this caprice of fortune, and I was anxious to see the person with whom the blind goddess had played so fantastic a freak.†

\* Francis Chantrey, one of the most celebrated of modern English sculptors, and certainly without a superior as a bust-maker, was born in 1781, and died in 1841, aged sixty. From childhood he had a taste for drawing and modelling, and after serving his time to a carver and gilder at Sheffield, there commenced painting portraits, which he soon gave up for making busts. One of these, in the exhibition of the Royal Academy in London, brought him into notice. He removed to London and speedily obtained numerous orders. His busts were portraits in marble, full of character and individuality. In 1817, he executed the monumental group of "The Sleeping Children" now in Lichfield Cathedral, over whose simple beauty and touching repose many tears have been shed. This poetic group was made, it is said, from a drawing by Stothard. Chantrey, who was elected a Royal Academician, and knighted, executed the busts of nearly all the leading personages of his time, and several colossal statues, in bronze, as public monuments. Of these, perhaps the most familiar, which was also the last (and not erected until after he had died), was the Wellington equestrian statue in front of the Royal Exchange, London.—M.

† The present Marchioness Wellesley, was Marianne, daughter of Richard Caton, Esq., of Maryland, and widow of Robert Patterson. The marriage took place in February, 1825, when Lord Wellesley was in his sixty-fifth, and the bride in her thirty-first year. Her sister, Louisa Catherine Caton was married in 1817, to Sir Felton Bathurst Harvey, became a widow in 1819, and was married in 1828, to the present Duke of Leeds, then Marquis of Carmarthen. The Marquis Wellesley's first wife, to whom he was married in 1794, was Hyacinthe Gabriel, daughter of Mons. Roland. She died in 1816. She had lived with the Marquis *before* marriage, and had two daughters then, but no legitimate issue. One of these daughters, married in 1812 to Mr. Littleton (now Lord Hatherton), was small in person, admirable in shape, charming in

The Marchioness's name is Caton: she is the widow of Mr. Patterson, and is thus allied, in some degree, with the Bonaparte family. She came to Ireland, accompanied by her sister, with no other object than to see the country. Having been introduced to the most fashionable circles, she did not at first disclose her religion, which might have been an obstacle to the cordiality of her reception. Her addiction to Popery was little suspected, as may be judged from her having been selected by Mr. Saurin as his political confidante. It was at a party at his house (so, at least, it is rumored in Dublin) that she first revealed her leanings toward the Pope. The learned gentleman, whose spleen to the religion of the country, considering his Huguenot descent and his fall from office, ought to be forgiven, had indulged in violent tirades against Lord Wellesley; upon which the amiable widow did not hint a comment; and he came to an attack upon Popery, although some symptoms of uneasiness were displayed, yet for a long time no remonstrance was made. Mr. Saurin was not interrupted in his fleers at transubstantiation; he was permitted to indulge in some pleasantries at the expense of auricular confession: certain interesting anecdotes touching the Borgia family were allowed to pass; but when he came to Prince Hohenloe, and opened a battery upon Bamberg, the widow could hold no longer; and, turning upon Mr. Ex-Attorney-General, proclaimed herself a Papist. The dismay produced by this intimation may be more readily conjectured than described. Whether a slight flush came over the calm and corrugated countenance of the host has not been stated in the common report of this agreeable incident; but it is said that the fair American volunteered her interposition with Prince Hohenloe, on behalf of her friend, in order to procure his restoration to office, having observed, by way of parenthesis, that nothing less than a miracle could accomplish so apparently improbable an event.

manner, intellectual in conversation, and so beautiful in face that the Emperor Alexander, of Russia, who saw her (on his visit to England, in 1814, with the rest of the Allied Sovereigns), declared that she was the loveliest human being eyes had ever looked at and been dazzled by. Lady Hatherton died in January, 1849. — M.

Not very long after this convivial incident, Mrs. Patterson was introduced at court, and Lord Wellesley was almost instantaneously struck with admiration of charms, of which one hundred and fifty thousand pounds were said to constitute a part.\* Her wealth was, however, greatly exaggerated by vulgar report; and the Marquis is, I believe, the very last man who would be disposed to take it into a matrimonial calculation. Though Hymen is sometimes addicted to the study of arithmetic, yet Lord Wellesley would never set him this inglorious task. He offered Mrs. Patterson his hand, and was accepted. In such a town as Dublin, so provincial in everything, and more especially in religion, the marriage of a lord-lieutenant to a Roman Catholic lady excited no ordinary sensation. The Catholics conceived that their creed would receive a sanction from a pair of beautiful eyes at the Castle; the priests expected that she would drive in state to chapel; and Messrs. O'Connell and Sheil did not despair that her love of legitimate rhetoric might induce her to go in disguise to the gallery of the Catholic House of Commons. The hopes of the Popish party were not a little confirmed by the nomination of her private chaplain, in the person of the good-humored and cheerful-spirited Mr. Glynn. The Orange faction, and especially the saints, looked on the approaching event with a sentiment of corresponding alarm. It was idle, they said, to expect, on the part of Lord Wellesley, any very rigid adherence to the principles of the Protestant religion. How powerful must be the influence of a young and a beautiful wife upon a man of careless or vacillating opinions.

These apprehensions were not a little augmented by the announcement that the Catholic archbishop was to celebrate

\* There are many reasons for believing that the "lady" though rich in personal charms, and moderately independent in circumstances, was by no means so wealthy as was reported. Her present pecuniary resources are understood to be inconsiderable. I am in doubt whether she does not receive a pension from the British Government or the East India Company (both of whom Marquis Wellesley had served faithfully and with distinction), but I know that Queen Victoria has granted her a residence in Hampton Court Palace, a "refuge for the destitute" among the aristocracy, in which many pauperized people of rank are rent-free. — M.



the marriage. Lord Wellesley was anxious to indulge his bride in this selection; but Dr. Magee and his partisans prevailed. It was settled that the Doctor should have precedence; and that, after he had "incorporated two in one," the rival hierarch should be introduced by a postern gate, and allay the Marchioness's religious scruples by a sacramental confirmation of the nugatory formalities, which should have been previously gone through by the Protestant divine. By this arrangement, politics and theology were felicitously reconciled. Dr. Magee went through the ceremony with his usual briskness and alacrity; and so sweet and winning was the smile with which the lady responded to the matrimonial precept—to love, honor, and obey—that the doctor is said to have protested that Gospel truth shone through her eyes. Such is the fascination of beauty, even upon a mind so highly spiritualized as the doctor's, that, since this heterodox marriage, a considerable and even suspicious mitigation of his opinions has been observed. The influence of the Marchioness is matter of universal comment; and, upon a recent occasion, it was remarked that the Right Reverend Father in God had acted as *cicisbeo* to this "dangerous Papist," and had accompanied her to the principal mart for the sale of baby-linen in Dublin.

These circumstances had surrounded the Marchioness with much interest, and will account for the curiosity which I felt to see her. I stood in no little suspense, when it was announced that the noble pair were making their triumphant entry into the Rotunda. Followed by a gorgeous retinue of richly-decorated attendants, the Viceroy and his consort advanced toward the immense assembly, who received them with acclamation. She was leaning upon his arm. He seemed justly proud of so fair a burden. The consciousness of so noble a possession had the effect upon him which the inspirations of Genius were said to have produced upon a celebrated actor, and he looked "six feet high," compact and well knit together, with great alertness in his movements, and with no further stoop than sixty winters have left upon him, with a searching and finely-irradiated eye, and with cheeks which,

however furrowed, carry but few traces of the tropics. The victor of Tippoo Saib, and the conqueror of Captain Rock, entered the Rotunda.\* I am not quite sure that there was not a slight touch of melo-dramatic importance in his air and man-

\* In 1821, when George IV. visited Ireland—the first sovereign who had ever landed on her shore, in friendly mood—all parties united in giving him an enthusiastic reception. This unanimity of “loyalty” (as the lip-service is called, across the Atlantic), was in strong contrast with the hooting and hisses with which, at that time, the “illustrious” Sybarite was greeted in London, on account of his ill-conduct toward his wife. He was as grateful for this kindness (as unmerited as it was unexpected), and assented to the politic proposition of his Ministers that Ireland should be treated more kindly than of yore. When he left Dublin, he earnestly recommended the Irish (in a farewell epistle communicated through Lord Sidmouth, the Home Secretary), no longer to allow their religious distinctions to be the cause of public animosity, or personal bitterness.—Soon after, the Tory Viceroy, Earl Talbot, was recalled, and Marquis Wellesley, a distinguished Irishman, elder brother of the Duke of Wellington, and a proved advocate of the Catholic claims, was sent to Dublin as his successor, in December, 1821. The Catholics rejoiced at his appointment as much as the political-Protestants grieved. He endeavored to govern with impartiality, but could not please all parties. In 1828, when the Duke of Wellington became Premier, and was avowedly hostile to Catholic Emancipation, Lord Wellesley resigned his post, but resumed it, in 1833, under the liberal Government of Earl Grey. He finally quitted Ireland, at the end of 1834, on the formation of Sir Robert Peel’s first administration. The chief fault of Lord Wellesley, as Viceroy, was an overweening opinion of his own importance. What the Bourbon said (*L’état c’est moi*) was Lord Wellesley’s entire conviction. He was born in 1760; educated at Eton; succeeded his father, as Earl of Mornington, in 1781; sat in the Irish House of Lords, and in the English House of Commons (first as member for Beeralston and then for New Windsor); was made one of the Lords of the Treasury, and Privy Councillor in 1793, and created an English peer in 1797, when he succeeded Earl Cornwallis in the Government of India; triumphed over Tippoo Saib and conquered the kingdom of Mysore, with the aid of his brother Colonel Wellesley (afterward The Duke); was rewarded by an Irish Marquisate in 1799; was recalled, at his own request, in 1805; was sent as Ambassador to the Supreme Junta of Spain in 1809; became Foreign Secretary on the formation of the Perceval Ministry in the same year; retired early in 1812, chiefly because he differed from his colleagues on the Catholic question; and continued in opposition until his appointment to Ireland in 1821. In 1835, he was Lord Chamberlain, under the Melbourne Ministry, for a short time. He died in September, 1842, in his eighty-third year. His mother, who died in 1831, lived to see four of her sons attain seats in the House of Lords, solely by their merits, and as rewards of public services.—M

ner; and, with a good deal of genuine dignity, it occurred to me that there was something artificial and theatrical in his entrance upon a stage, in which ephemeral majesty was to be performed. It was said by Voltaire of a real monarch, that no man could so well perform the part of a king. "*Le Rôle de Roi*," is a phrase which, amounting to a truism, loses its force, perhaps, when applied to a lord-lieutenant.

Lord Wellesley seemed to me to personate his sovereign with too elaborate a fidelity to the part, and to forget that he was not in permanent possession of the character upon a stage which was under the direction of such capricious managers, and that he must speedily relinquish it to some other actor upon our provincial boards. He is, unquestionably, a man of very great abilities; a speaker of the first order; a statesman with wide and philosophic views, who does not bound his prospects by any artificial horizon. He has great fame as a politician, and has the merit of having co-operated with Mr. O'Connell in the pacification of Ireland.

With these intrinsic and substantial claims to renown, it is strange that he should rely so much upon the gewgaw of a spurious court for his importance, and be in love with the raree-show of vice-regal honors. A throne surmounted with a gorgeous canopy of gold and scarlet was placed at the extremity of the room for his reception; and to this seat of mock regality he advanced with his vice-queen, with a measured and stately step. When he had reached this place of dignity, his suite formed themselves into a hollow square, and excluded from any too familiar approach the crowd of spectators that thronged around. A sort of boundary was formed by the lines of aid-de-camps, train-bearers, and pursuivants of all kinds. I presumptuously advanced to the verge of this sacred limit, when I was checked by an urchin page of about ten years of age, who, dressed in flaming scarlet, and with his epaulets dropping in woven gold to his heels, seemed to mock the consequence of his noble master, and with an imperious squall he enjoined me to keep back. I obeyed this Lilliputian despot, and retired one or two paces, but stood at such a distance as to enable me to survey the hero and heroine of the scene.



The Marquis was dressed in a rich uniform, with a profusion of orders. He wore white pantaloons, with short boots lined with gold, and with tassels of the same material. The Marchioness was dressed in white tabinet, crossed with a garland of flowers. She struck me at once not only as a very fine, but dignified woman. Nobody would have suspected that she had not originally belonged to that proud aristocracy to which she has been recently annexed. She has nothing of *la bourgeoisie parvenue*. I was surprised at the gracefulness with which she executed her first courtesy, and the ease with which, in recovering from it, she brought herself back to the altitude of stateliness which I presume had been prescribed to her for the night. Her figure appeared to me to be peculiarly well proportioned. Her arms and shoulders, though less suited to Hebe than to Pomona, are finely moulded; and of her waist I may justly say that it is—

“Fine by degrees, and beautifully less.”

Her features approach to the classical model: they have nothing of that obtuseness which in Ireland is frequently observable in countenances animated by the vivacity of youth, but which lose their charm when the vividness of the eye becomes impaired, and the bloom of the cheek has begun to pass away. The profile of Lady Wellesley is at once marked and delicate. Her complexion has not that purity and milkiness of color which belong to Irish beauty, but it is not, perhaps, the less agreeable from having been touched by a warmer sun. Her brows are softly and straightly pencilled; her cheeks are well chiselled, and an expression of permanent mildness sits upon her lips, which I do not regard as artificial and made up. Yet I think it too unvarying and fixed. Her smile is so sedate and settled, that, although I had several occasions to observe her, her countenance seemed for hours not to have undergone the least change of expression. Some allowance ought to be made for this immovable serenity, which it may be proper upon a state occasion to assume; but I am inclined to think that this monotonous suavity is not the mere smile of elaborate affability, but upon a face less beautiful would amount to an

eternal simper. If I were called upon to point out, among the portraitures of fictitious life, an illustration of the Marchioness of Wellesley, I do not think that with reference to her air, her manners, the polish and urbanity of her address, and the placidity of her expression, I could select any more appropriate than the English heroine of Don Juan —

“The Lady Adeline Amundeville.”

The Marquis and the copartner of his honors, and sole tenant of his heart, having made their obeisance to the company, seated themselves upon the throne; and I can not help saying that, when I saw them surrounded with all the superfluous circumstance of sovereignty, and going through the mock-regal farce, as if the whole business were not an idle and most unsubstantial pageant, I felt pain at this voluntary exposure to the ridicule of their political opponents, who seemed to gather round for no other purpose than to pay their derisive and sardonic homage. Upon what pretence these airs of royalty were assumed I could not even guess. The gentry of Dublin were assembled, at the instance of Lady Wellesley, to contribute to the promotion of Irish manufacture. This was assuredly no fit occasion for the “unreal mockery” of evanescent pomp. I question whether, under such circumstances, it would be proper in a genuine king to indulge in regal parade. But it appears to me to be out of all keeping, and to amount to no venial sin against good taste on the part of the mere shadowy representative of a sovereign, to invest himself in monarchical state, and all “the attributes to awe and majesty.”

The deportment of his Excellency tended to enhance the burlesque of the whole business. He affected all the *nonchalance* of a person accustomed to royalty. His attitude was studiously careless, while that vivid physiognomy, of which, with all his practice in courts, he is not the absolute master, betrayed his anxiety for the production of effect. One of his legs was thrown heedlessly over the other, to indicate that he was perfectly at his ease; but, at the same time, his piercing and sagacious eye seemed to search amidst the crowd for that reverence both to his person and to his office, to which he surmised, perhaps, that he possessed a somewhat disputable claim.

I was not a little amused when his Excellency's eyes encountered those of that redoubtable champion of ascendancy, the Reverend Sir Harcourt Lees.\* My English readers, who have only known Sir Harcourt through the medium of his loyal celebrity, and who have never seen the prodigy himself, may be disposed to think Sir Harcourt a gaunt and dreary man, with a fanatical and desolate look, and with that grim aspect of devotion which characterized the warlike propagators of Protestantism under the Cromwellian standard. But nothing could be more remote from the plain realities of Sir Harcourt than this "beau-ideal" of that distinguished personage. As he was the next person in importance to Lord Wellesley at the

\* Sir Harcourt Lees, who was born in 1776, and died in 1846, was the eldest son of an Englishman who came to Ireland to officiate as private Secretary to Marquis Townshend, when Viceroy, and was successively made Secretary-at-War, and Secretary to the Irish Postoffice—with a patent, continuing the latter office in his family. Under this patent, Edward S. Lees, the second son, succeeded, and held the office, in Dublin, for many years, until he was induced to surrender the document, and was appointed to the postoffice in Edinburgh, where he died, after forty-six years public service. The founder of the family, who was thus solicitous to provide for his offspring, was further honored with a baronetcy. His eldest son, Harcourt, succeeded to the title in 1811, on the death of Sir John Lees, received valuable church-preferment, which, with his patrimonial property, enabled him to live in good style, at Black Rock, near Dublin. One of the mildest and most good-natured men in private, he was bold, abusive, and truculent in public. He was an Orangeman, and violent, beyond all precedent, in his abuse of "O'Connell, the Pope, and the Devil"—for he always named the three in one breath. He started a weekly newspaper called "The Antidote," in which he was wont to empty the vials of his wrath upon the Catholics in general, and Mr. O'Connell in particular. He was accustomed to predict, once every three months or so, that there would be a general rising of the disaffected throughout Ireland, and he was perpetually sending petitions to the King, the Lords, and the Commons, praying them to "put down Popery" and, above all, to send O'Connell to the Tower. When "The Antidote" went the way of many violent party journals—i. e. "to the wall,"—Sir Harcourt transferred his lucubrations to "The Warder," another weak and weekly organ of the Orange faction. His handwriting was the most illegible scrawl—just as if an intoxicated spider had fallen into an inkstand, and then crawled and scrawled over a sheet of paper. It is to Sir Harcourt's credit that in his charities, which were great, he made no distinction on account of religion; to want was sufficient claim on the benevolence of this most eccentric man. He was much liked by the Catholics whom he employed, and was on terms almost friendly with O'Connell, against whom he was always writing.—M.



Tabinet Ball, it may not be inapposite to say a word or two about him.

For many years he was unknown to the public, and among his own immediate friends was regarded as a harmless and somewhat simple man, who could discuss a bottle of claret much better than a homily, a daring fox-hunter, and a good-humored divine, who would have passed without any sort of note, but for certain flashes of singularity which occasionally broke out, and exhibited points of character at variance with his general habits. What was the astonishment of all Dublin, when it was announced that this plain and unobtrusive lover of the field was the author of a pamphlet filled with the most virulent and acrimonious matter against the religion of the country, and which almost amounted to a call on the Protestant population to rise up in arms and extirpate Popery from the land! The incongruous images, the grotesque associations, and the mixture of drollery and absurdity, indicated some distemper in the writer's mind; but the political passions which raged at the time prevented the Protestants from perceiving the symptoms of delirium in what they took for inspiration.

Sir Harcourt became a public man. I had never seen him before the publication of his book, and was a good deal surprised to find that all this uproar had been produced by a little lumpish man, who rather looked like a superannuated jockey than a divine, with an equestrian slouch in his walk, and the manger in his face, and with a mouth the graceful configuration of which appeared to have been formed by the humming of that stable-melody with which the application of the curry-comb is generally accompanied.\*

\* Sir Harcourt Lees dressed very much unlike a clergyman—or even a gentleman. A rusty and broad-brimmed hat covered his head. He shaved sometimes, and the unfrequency did not improve his face. Round his neck was twisted a sort of rope of cambric, which probably had been white. On his back was a shabby black coat, much too large for him, which appeared guiltless, since it was built, of the slightest coquetry with a clothes-brush. The rest of his body was contained within a capacious pair of drab inexpressibles, his legs were encased in riding-boots with light brown tops, and his hands were never ‘pent up’ on any occasion, in the ‘Utica’ of a pair of gloves. He always carried a huge horsewhip, and, whether he walked or rode, perpetually whistled ‘The Fox-hunter’s Jig.’—M.

After looking at this singular figure which the tutelary genius of the Church had chosen for its residence, I gave up all my belief in physiognomy, and renounced Lavater for ever. I have since heard that the doctrines of Gall are by no means so much contradicted by the head of this celebrated person as the theory of the Swiss philosopher is refuted by his face; and that divers protuberances are observable upon Sir Harcourt's pericranium, in which vanity, ferocity, and ambition, together with certain other of the polemical faculties, may be easily discerned. It is even whispered that a disciple of Gall, who recently came over from Edinburgh, discovered some bumps upon the head of Doctor Magee, between which and the skull of Sir Harcourt there was a remarkable affinity. In the former there was a much larger quantity of brain, but the theological passions of Sir Harcourt are not less prominently pronounced. It has been added, but I can not take upon myself to say with what truth, that a curious speculator in that fantastic science has caused the skull of the last Sir Thomas Osborne to be dug up, and that the resemblance between Sir Harcourt and that eminent author is truly surprising.

But I feel that I am digressing. Enough to say that Sir Harcourt's success in his first essay against Popery led to other achievements in controversy, and that he was at length recognised beyond all dispute as the most appropriate champion of the Irish Church. His whole character may be summed up in a single sentence of Swift: "He hath been poring so long upon Fox's 'Book of Martyrs,' that he imagines himself living in the reign of Queen Mary, and is resolved to set up as a knight-errant against Popery."

The meeting between the Marquis Wellesley and this celebrated person at the Tabinet Ball excited all my attention. I did not perceive the latter, until a certain expression of defiance, which suddenly came into the Marquis's face, directed my notice to the quarter toward which he was looking, when I beheld, exactly opposite his Excellency, the chief though not very majestic pillar of the Establishment. The worthy Baronet had thrown an expression of derision into his countenance, and did not look very unlike a picture of Momus upon Mr. Lis-

ton's snuff-box.\* The Marquis might readily have conjectured that he was laughing at him, and that the recollection of his Excellency's exploits was not a little amusing. Seated upon the throne, with his clinched hand resting upon his thigh, and his marked and diplomatic visage protruded in all the intensity of expression for which it is remarkable, the most noble and puissant Marquis shot his fine and indignant eyes into the soul of his antagonist; while Sir Harcourt, with a half-waggish and half-malevolent aspect, blending the grin of an ostler with the acrimony of a divine, encountered the lofty look of the chief governor of Ireland with a jocular disdain, and gave him to understand that a man of his theological mettle was not to be subjugated by a frown. This physiognomical encounter lasted for a few minutes; and but that Master Ellis, touching Sir Harcourt upon the shoulder, relieved the Marquis from his glance, the result would in all probability have been, that, indignant at the spirit of mockery that pervaded the features of the Baronet, his Excellency would have yielded to his emotions, and, starting up in a paroxysm of imaginary royalty, have exclaimed, "Ay, every inch a king!"

The next person in importance to Sir Harcourt was his Grace the Duke of Leinster.† With the highest rank, and a magnifi-

\* John Liston, the best low comedian of his time, possessed much natural humor, naturally illustrated by peculiar features which, whether in repose or action, were remarkably mirth-exciting. The moment an audience saw his face, they felt compelled to laugh. He had the merit, rare in actors, of *not* playing to his audience: what he said and did was apparently irrespective of any spectators. He was of a very melancholy temperament, though he caused wit and mirth in others. He realized a large fortune, at the London theatres. In 1831, he had one hundred pounds sterling a week from Madame Vestris, at the Olympic (a small theatre, in an inconvenient by-street), and remained on this engagement for the last six years of his professional life. Ten years elapsed between his retirement and his death, which took place in 1846, in his sixty-ninth year.—M.

† The Duke of Leinster—"Ireland's only Duke" and premier Marquis, is head of the noble house of Fitzgerald, the founder of which came to England with William the Conqueror, in 1066. Maurice Fitzgerald, who accompanied Henry II., in 1172, and assisted in the subjugation of Ireland was rewarded with a large grant of land in Leinster, and was appointed one of the Governors of the conquered country. His son Gerald, was created Lord of Offaley, in 1216, which title continues, held "by tenure"—which marks its antiquity. The



cent estate, and with a name to which so many national recollections are painfully but endearingly allied, it must be confessed that the first peer in Ireland, notwithstanding so many claims upon the public respect, is less sensibly felt, and produces an impression less distinct and palpable, than the renowned champion of the Church. The one is at the head of the nobles and the other of the Protestants of Ireland; and however insane the alacrity of Sir Harcourt may appear, there is something in enthusiasm, be it genuine or affected, which is preferable to the inactive honesty and the inoperative integrity of the Duke. The latter is descended from the first Norman settlers in Ireland. The Fitzgeralds gradually became attached to the country, and were designated as the ultra-Irish, from the barbarous nationality, of which, in the course of that series of rebellions dignified by the name of Irish history, they gave repeated proof. They were of that class of insurgents who earned the ignominious appellation of "*Hibernis ipsis Hiberniores.*" I recollect to have seen their pedigree upon a piece of mouldering parchment, which was produced at a trial in Waterford, connected with the royalties of Dromona, and had been brought by a messenger from the Tower in London. It was a very remarkable document. The words "attainted" or "beheaded" were annexed to the names of more than half the members of this illustrious house.

The love of Ireland appears to have been a family disease, representative of this house was created Earl of Kildare, in 1316, and the holder of this Earldom was made Viscount Leinster, in the English peerage, in 1745-'6. The Irish Marquisate of Kildare was conferred, in 1761, and the Dukedom in 1766. The present Duke of Leinster, who lives mostly in England, has always professed Whig principles, which are usually anti-Irish. Born in 1791, the Duke was only in his seventh year, when his gallant and unfortunate uncle, Lord Edward Fitzgerald, perished, in 1798. So much undistinguished has the Duke's life been (the Irish significantly call him "a chip in porridge") that the only noticeable thing connected with him, recorded on the tablets of my memory, is the anecdote of his visiting Beau Brummell, at his retreat in Caen. The Duke, who was fresh from Paris, where he had availed himself of the adorning aid of a French tailor, asked the Beau what he thought of his coat? Brummell, taking hold of the collar of it delicately, between his finger and thumb, smiled contemptuously and drawled out, "My dear fellow, do you call this thing—a coat?"—M.

and to have descended to the unfortunate Lord Edward as a malady of the heart, although the sanguinary record of the virtues of his house did not include his name; but it was impossible to look upon that memorial of the scaffold, without recalling the memory of the celebrated person whose failure constituted so large a portion of his crime.\* It may be readily imagined, that when the Duke of Leinster returned to Ireland after having attained his full age, in order to take possession

\* Lord Edward Fitzgerald, whose tragic fate has excited much sympathy, was only thirty-five years old, in 1798, when the Irish insurrection broke out. He served in America as aide-de-camp to Lord Rawdon, and on his return home, in 1783, obtained a seat in the Irish House of Commons, which he did not long retain, finding legislation insipid. He returned to America, where he imbibed republican principles. William Cobbett, who was Serjeant-Major in his regiment, was discharged through his influence, and described him as "a most humane and excellent man, and the only real honest officer he ever knew in the army." On Lord Edward's return, in 1790, he re-entered Parliament: visited Paris, during the Revolution, got acquainted with Paine; desired his mother to address him as "*Le Citoyen Edward Fitzgerald*," assisted at a public dinner in celebration of the successes of the French armies; publicly renounced his title; declared himself a republican; and, in consequence, was dismissed the British army. He married Pamela, supposed to be Madame de Genlis' daughter by the Duke of Orleans (*Egalité*); returned to Dublin; became one of the United Irishmen, joined an armed association against which the Viceroy issued a proclamation; made a Parliamentary attack on the Viceroy and the majority of the House of Commons, as being "the worst subjects the King had;"—apologized by saying, "I am sorry for it;" went to Paris, to engage the Directory to aid the contemplated revolt against British authority; was suspected by the Government, who issued a warrant for his apprehension, but gave him several opportunities of escape, which he declined, saying he was too much involved with others to obtain safety without dishonor; had a thousand pounds offered for his apprehension; was discovered in a place of concealment; killed one of his pursuers with a dagger; was himself wounded and overpowered; and died soon after, in June, 1798. He was attainted, as a traitor, by the Crown, and one of Curran's best speeches was against the injustice of their assuming the guilt of a man neither tried nor convicted, and of debarring his children from their birth-right. The attainder was removed by George IV., which elicited a sonnet of thanks from Lord Byron. The widow of Lord Edward went to reside at Hamburgh, but married again within two years. There appears to have been only one opinion, and that most favorable, of the frank nature, the chivalrous bearing, the active benevolence, the high honor, the gallant courage, and the unselfish patriotism of Lord Edward. He was uncle to the present Duke of Leinster.—M.

of his estates, he was an object of great national interest. The associations connected with his name had already secured him the partialities of the country. His frank and open air, the unaffected urbanity of his manners, the kindness and cordiality which distinguished his address, and an expression of dignified good nature in his physiognomy, brought back the recollection of Lord Edward, and gave to his young kinsman a share in the affectionate respect with which the guilty patriotism of that chivalrous nobleman is regarded in Ireland. Few were sufficiently rash to desire that the Duke of Leinster should engage in an enterprise so little likely to be successful, as that which cost Lord Edward his life. Almost all men had become sensible of the hopelessness of such an undertaking: but it was expected that, while the chief of the house of Fitzgerald would abstain from any criminally adventurous speculation, he would, notwithstanding, place himself at the head of the popular party; that he would rally round him the friends of the country; that he would extend to good principles the authority of his rank, and rescue the spirit of Irish whiggism from the scoff with which it had been the fashion in the higher circles to deride it.

A scope of political usefulness was unquestionably given to the Duke. It would have been easy for him to raise up a legitimate and salutary opposition to the abuses of the local government, which were at that time excessive, and to have awed the viceregal despotism of the Duke of Richmond into moderation. There was enough of public virtue left among the aristocracy, to turn it to good practical account, if there had been any man capable of giving it a direction; and of all others, the young Duke of Leinster, from his paramount rank and hereditary station, seemed to be calculated to take the honorable lead. What might not a Duke of Leinster, with even ordinary abilities, and with an active, steadfast, and energetic mind, accomplish in this country? He might place himself at once in the front of a vast and ardent population, and become not only the protector of the Catholics, but the director of the whole body of liberal Protestants in Ireland. The distinctions of sect would, under his influence, be merged



in the community of country, and all religious animosities give way to a comprehensive and philosophical sentiment of nationality. He would be the point of contact, at which the contending factions might meet and cohere together. His rank and property would attract the men who profess illiberal opinions as much out of fashion as out of prejudice; while the democratic parts would find in his name and blood a sufficient guaranty for his fidelity to Ireland. Having been once associated in a stricter intimacy, it is likely that the enthusiasts on both sides would lay down a large portion of their antipathies, and acquire a feeling of forbearance toward each other. Partisanship would in a little time subside, and Catholics and Orangemen would enter into a pacific confederacy for the public good.

Such a junction, formed under the auspices of a Duke of Leinster, would secure to him the respect of a wise, and the fears of a corrupt administration. His opinions among the hereditary counsellors of the crown would carry a paramount authority. His voice in the senate would be that of seven millions of his fellow-countrymen; Ireland would speak through him. The consciousness of the minister that, in times of difficulty and of danger, the Irish people could readily find a man who would insist upon justice—who, sustained by a united population, could insure whatever he required—would instruct the most arbitrary statesman in the anticipating wisdom of concession. It is difficult to conceive a more lofty or a more useful part, than that which it would be easy for a Duke of Leinster to perform; and the facility with which this ideal picture would be realized, induces the more regret that a person surrounded with such numerous opportunities of doing good should have omitted the splendid occasions thrown by birth and fortune in his way. He has voluntarily consigned himself to oblivion.

It required, indeed, that he should make a sort of effort to be forgotten. He has at last succeeded in sinking out of the recollection of the public. He has, if I may so say, dived into Lethe, from which he hardly ever lifts his head. The first injudicious step which he adopted was the sale of his magnifi-

cent mansion in Merrion Square. It surpasses any private residence in London, and rather resembles the palace of a Venetian senator than the house of a British subject. That vast structure, upon which enormous sums had been expended by his father, was a perpetual intimation of the importance of the Duke, as long as it was called Leinster House; but after he had sold it to the Dublin Society, and its original designation was laid aside, a memorial of the family was wanting, which the Duke's political conduct was not calculated to supply. He was not contented with this disposal of his family mansion, but took a small house in Dominick street, which he dignified with the appellation of the Duke of Leinster's Office. Many ascribed the sale of his palace (for such it might be called) to a penurious tendency; but, although the Duke is a prudent man, he is not, I believe, addicted to that most ignoble of all vices, and avarice forms no part of his character. The truth is, that the Duke of Leinster is wholly insensible to fame; and such is his aversion to publicity, that I could never bring myself to give any credit to the statement in Harriet Wilson's *Memoirs*, that his Grace was in the habit of standing behind her carriage.\* He has such a horror of the general eye, that I hold it to be impossible that he could ever have achieved a piece of such open and undisguised gallantry as the modern *Aspasia* has been pleased to ascribe to him.

After having sold his house, the Duke retired to the woods and solitudes of Carton.† There he buried himself from the

\* "The *Memoirs of Harriet Wilson*," which were published about 1824, professed to be written by a noted London courtesan, one of whose sisters had married Lord Berwick, a wealthy peer in Shropshire. This book, which was written on "black-mail" principle, was crowded with details of Miss Wilson's amours, and brought in the names of most of her very extensive acquaintance with the fashionable and aristocratical men of her time. She made a considerable sum by the sale of the work, and yet more by what she received for the suppression of scandals, whether true or false. With this money, Harriet Wilson retired to Paris, where a French Colonel married her. Twenty years after, she returned to England, affected to have become an *imminent* Christian, and died in 1846. — M.

† Carton, in the County of Kildare, is the family mansion and estate of the Duke of Leinster. It was purchased, in January, 1738-'9, by Robert, nineteenth Earl of Kildare, from Thomas Ingoldsby, in Buckinghamshire, England. — M.

inspection, and gradually dropped out of the notice, of the country. Having a turn for mechanics, he provided himself with a large assortment of carpenters' tools, and beguiled the tedium of existence with occupations by which his arms were put into requisition. There is not a better sawyer in the county of Kildare. As you wander through the forests on his demesne, you occasionally meet a vigorous young woodman, with his shirt tucked up to his shoulders, while he lays the axe to the trunk of some lofty tree that totters beneath his stroke. On approaching, you perceive a handsome face, flushed with exercise and health, and covered with perspiration. Should you enter into conversation with him, he will throw off a few jovial words between every descent of the axe; and, if he should pause in his task for breath, will hail you in the tone of good-humored fellowship. He sets to his work again; while you pursue your path through the woodlands, and hear from the ranger of the forest that you have just seen no less a person than his Grace himself.

In the midst of these innocent employments, the Duke of Leinster passes away a life which ought to be devoted to higher purposes. It is with the utmost difficulty that he is occasionally dragged out of his retreat, and consents, some once a-year, to fill the chair at a public meeting. But he takes no part in the deliberations or the measures of popular assemblies, for which he entertains an unaffected distaste, and hurries back to his domestic occupations again. The result has been, that he not only holds no place in the public estimation beyond that which his private virtues confer upon him; but he is without any influence at the Castle. Shortly after Lord Wellesley came to Ireland, the Duke called to pay his respects to his Excellency, who sent him an intimation that he was at the moment too busily engaged to see him, but that, in case he called again, he should be happy to receive his Grace.

At the Tabinet Ball (from which I have made a wide digression, into somewhat too serious, if not extraneous matter), it was easy to observe that the Duke of Leinster, surrounded as he was by all the provincial rank and wealth of Dublin, was not an object of much public concern. As he



mingled among the various circles in the saloon, some person, who chanced to know him, just mentioned, "There is the Duke of Leinster;" while his Grace, neither attracting nor caring for any further notice, passed on without heed to some other part of the room. How different an impression would he have produced, had he taken the more active and intrepid part, to which his fortunes appeared to invite him! The mock regality of a lord-lieutenant would fade at once before him. The representative of a nation would stand superior to the delegate of the king. But, in drawing this contrast, it would be an injustice not to add, that, after all, the Duke of Leinster has a right to make a selection of happiness for himself. He has no ambition. Nature has not mixed that mounting quality in his blood which teaches men to aspire to greatness, and makes them impatient of subordination. If he is deficient in energy, and is without the temperament necessary for high enterprise, he is adorned by many gentle and perhaps redeeming virtues. His life is blameless in every domestic relation; and if he is not admired, he is prized, at least by all those who are acquainted with him. He looks, and I am convinced he is, an exceedingly happy man; and has at all events one of the chief means of felicity, in the amiable and accomplished woman to whom he is united.

The Duchess of Leinster accompanied her husband to the Tabinet Ball. This excellent lady is one of the daughters of Lord Harrington.\* She has been some years married to the Duke, and has the reputation of being a most affectionate mother and wife. Although an Englishwoman, she prefers Ireland to her own country, and has never seduced her husband into absenteeism. Lady Morgan should make a heroine

\* The Duchess of Leinster, was aunt of the 4th Earl of Harrington, formerly known in fashionable life as Lord Petersham, who married Maria Foote, the lovely actress, in 1831, and died in 1851. His brother, known as Colonel Leicester Stanhope, Byron's intimate and companion in Greece is the present Earl and married the beautiful Miss Green, niece to Mr. Hall, now Chief Police magistrate, at Bow street, London. This lady, some twenty years ago, when in the bloom of youth, was considered one of the most beautiful women in the fashionable world of London — M.

of her.\* Few persons are more esteemed and loved than she is. There is a charm in her kind and good-hearted manners, which engages the partiality of those about her, and converts that respect which is due to her station into regard. I have never seen any lady of her distinction in society so wholly free from assumption. There is the enchantment of sincerity in her sweet demeanor, which, in the manners of the great, is above every other charm. She is not beautiful; but there is about her—

———“Something than beauty dearer,  
That for a face not beautiful does more  
Than beauty for the fairest face can do.”

A look of benignity, united with a pleasant and vivacious smile, makes you forget a certain want of regularity in her features. I do not quite like her deportment and gait. There seems to be a weakness in her limbs, which prevents a steadiness and measure of movement, necessary for a perfect gracefulness of head. But it is only after a minute observation, made in the spirit which is “nothing if not critical,” that any such imperfections are discerned, and they are speedily forgotten in the feeling of kindness which her noble gentleness can not fail to produce.

It was amusing to observe the contrast between the unostentatious affability of her Grace, and the factitious loftiness of the other titled patronesses of the ball. Lady Wellesley had nominated a certain number of vice-presidents of the dance, who were directed to appear with a head-dress of ostrich-feathers, by way of distinguishing them from the ladies to whom that high function had not been confided. Accordingly, about a dozen heads, stuck with a profusion of waving plumage, lifting their nodding honors above the crowd. These

\* Lady Morgan, whose maiden name was Sydney Owenson, was daughter of an actor, who anglicized his patronimic Mac-Owen, and was a good performer of Irish characters. Her novel, “The Wild Irish Girl,” brought her into notice, and her works, principally travels and fiction, have obtained her much reputation. She wrote the well-known song of “Kate Kearney.” She married Sir Charles Morgan, a medical man in Dublin. The British Government has given her a pension of three hundred pounds sterling a year. She lives in London, but her failing sight and the weight of nearly eighty years, have compelled her to relinquish her literary pursuits.—M.

reminded me of the Mexican princesses in prints of Montezuma's court, which I have seen in the History of New Spain. The absence of any superfluity of attire did not make the resemblance less striking. It was pleasant to observe the authoritative simper with which they discharged their high-plumed office, and intimated the important part which they were appointed to play in this fantastic scene. Upon the vulgar in the crowd, such as the wives of rich burghers, of opulent attorneys, and of stuff-gown lawyers, they looked with ineffable disdain; and even to the fat consorts of the aldermen, they scarcely extended a smile of supercilious recognition.

Busily engaged among the latter, I observed Mr. Henry Grattan, who was then a candidate, and is now a representative of the city of Dublin. This gentleman was not a little strenuous at the Tabinet Ball, in his attentions to the ladies, both young and elderly, of the Corporation. He had, upon a former occasion, been defeated by Master Ellis, through the influence of the civic authorities, and was determined to conciliate the leading members of the powerful body by which he had been successfully opposed. He is a singular example of perseverance, and, I rejoice to add, of success, in the steadfast pursuit of an honorable object. His name, the veneration in which his father's memory is so justly held by every true lover of his country, and the earnest which he has himself already given of eminent abilities and of public virtue, gather much of the popular solicitude about him, and render his career in parliament a matter of interesting speculation. Some mention of this young senator, whose foot is yet upon the threshold of the House, may not be inappropriate. "How widely," the reader may say, "do you deviate from the Tabinet Ball!" Be it so. I set down my thoughts as they flow carelessly from my pen.

A word or two, then, of Mr. Henry Grattan.\* He is the

\* Mr. Henry Grattan continued to sit in Parliament for a long series of years and was uniformly constant in his attendance, and liberal in his principles. He usually voted with O'Connell. He is not a member of the present Parliament. Although pains-taking and industrious, as a business-man, his public course has not been very distinguished. He has published a very reliable and interesting work,—his father's "Life and Times," which is indispensable to the student of Irish history.—M.



second son of the great Irishman, of whom it may be so justly said :—

“Magnum et venerabile nomen,  
Gentibus, et nostræ multùm quod prodeat urbi.”

His father took, from the earliest period, the most anxious care of his mind, upon which he set a high value. I have been assured by a gentleman, whose authority I could not for a moment question, that the late Mr. Grattan, in presenting his son to his tutor at Trinity College, expressed his conviction of his superior qualifications, and said that he hoped to leave “his Henry” as a noble bequest to his country. The great patriot saw in the mind of his son what Doctor Johnson calls “the latent possibilities of excellence;” and he was anxious, as well from a national as from a parental feeling, to bring them forth. Mr. Henry Grattan, while in college, enjoyed the double advantage of an excellent system of public education, and of having a domestic pattern of the admirable in eloquence and in patriotism perpetually before his eyes. His career in the University was highly honorable; and in the Historical Society, which, if it were not a school of genuine oratory, was at all events a useful nursery of declamation, obtained universal plaudits. Having taken his degrees with credit, he entered the Temple, and went through the usual masticating process, by which the British youth are initiated into the mysteries of the law. He became, while in London, a member of the society called “The Academic,” which holds debates upon all the entities, and distinguished himself by a force and strenuousness of elocution to which that debating association was little accustomed. Upon his return to Dublin, after having gone through his two years’ novitiate, and eaten his way to the Bar, he dedicated himself to political rather than to forensic pursuits. His illustrious father had been unkindly, and, in my judgment, ungratefully treated by the Irish Catholics. Mr. Henry Grattan resented these injuries with more asperity than it was, perhaps, judicious to have expressed, and involved himself in some personal altercations, which are now happily forgotten. Having a turn for composition, but not being sufficiently versed in the arts of vituperative insinuation, he pub-

lished one or two articles in the "Evening Post," of too undisguised a kind, against the Duke of Richmond, which produced a prosecution.\* He had a narrow escape from the fangs of Mr. Saurin, and was, I believe, obliged to remunerate the proprietor of the newspaper at no little cost. The great aggravation of his satire was its truth. His celebrated father was, it is understood, a good deal annoyed by the results of these first essays in invective, which obliged him to pay to the King a portion of what he had received from the people.

Until his death, his son did not come directly forward upon the political stage; but when that great man had been deposited in Westminster Abbey (neither Grattan nor Curran is buried in Irish earth),† his son offered himself as a candidate for the representation of the city of Dublin. It ought to have descended to him as an inheritance. He appeared on the hustings with the incomparable services of his illustrious father as his advocate. He combined with the legitimate claims derived from so illustrious a name great personal merit. Yet so high ran the prejudices of party, that Master Ellis, whose only title arose from his hostility to the Catholics, was preferred to him, and the services of the best and most lofty-minded Irishman that ever lived were shamefully forgotten. Painful as such a defeat unquestionably was, he did not relinquish the object on which his heart was set; and having

\* The Dublin Evening Post, one of the most respectable journals of Ireland, was long an advocate of the Catholic party. After the passing of the Emancipation Bill, in 1829, it became the organ of the Government. For the last thirty years it was edited by a liberal and able Protestant, Frederick William Conway; who died in 1853.—M.

† The ashes of Curran now repose in the land which he loved so well, and in which his genius and patriotism are revered as they deserve. He died on the 14th of October, 1817, and was buried in Paddington Church, London. In 1834, it was determined to remove his remains to Ireland, and a Committee, sitting in Dublin, managed the details. The coffin was received on its arrival by Curran's son and another, was deposited temporarily in the mausoleum at Lyons, the seat of Curran's friend, Lord Cloncurry, and was thence taken to Glasnevin Cemetery, where it lies beneath a magnificent monument of granite, on the model of the tomb of Scipio, on which is carved the one word CURRAN which is sufficient for such a man.—Grattan was buried in Westminster Abbey, where rests all that was mortal of many illustrious men.—M.

ascertained that a number of Roman Catholics had omitted to register their freeholds, by his own personal exertions, and by individual application, he created such a counteraction to the suffrages of the freemen, that, at the last election, he was returned for the city. He did not, at the same time, omit any effort to disarm the corporators of their prejudices, and by every species of legitimate assiduity endeavored to charm their antipathies away. He accordingly paid to the Orange potentates of the Corporation a diligent and obsequious attention.

I observed him actively engaged in this part of his vocation at the Tabinet Ball. No man laughed more loudly at certain reminiscences from “Joe Miller,” which Alderman —— was pouring, as original anecdotes, into his ear. The new and graceful pleasantry of the worthy corporator appeared to throw Mr. Grattan into convulsions of merriment, though now and then, in the intervals of laughter, I could perceive an expression of weariness coming over his face, and that effort over the oscitating organs, with which an incipient yawn is smothered and kept in.

My attention was suddenly diverted from this political *tête-à-tête*, by an ejaculation of *ennui*, which was uttered by a young English officer,\* who was lounging, with two of his

\* In 1823-'24, a cavalry regiment called the Tenth Hussars, formed part of the garrison of Dublin. Its officers were chiefly, if not wholly members of aristocratic families in England, and looked down with unconcealed contempt upon every grade of society in the Irish Metropolis. They condescended, sometimes, merely *pour passer le temps*—to partake of dinners and appear at balls given by the “natives” in Dublin. Here they usually conducted themselves on the “Nil admirari” principle, and showed what magnificent ideas of their own importance were entertained—by themselves. On one occasion, the lady of the house at which there was a rout, good-naturedly asked one of these officers whether she should introduce him to a charming partner for a quadrille? The reply, delivered with a pause between each word, was, “Thank you, but, the Tenth don’t daunce!” Another time, an Irish peeress told one of these carpet-knights that a lovely young woman near him was heiress to an immense fortune, and asked if he would not like to make her acquaintance, and try to win the prize? “I’m not a marrying man, myself,” was the reply, “but, I shall mention her at mess!”—The excellent comedy (by Croly, the poet and divine), called, “Pride shall have a Fall,” in which a party of puppy-officers are introduced and ridiculed, owed some of its success to its presumed intention of satirizing “The Tenth.”—M.



military compatriots, through the room. This triumvirate of coxcombs trailed themselves, with an affected listlessness, along, and vented their depreciation of Ireland in elaborately English intonations. They were apparently anxious to give intimation of their superior country; for they put more of their national accent into their voices than well-bred Englishmen are accustomed to do, and seemed vain of the anti-Irish drawl, in which the spirit of mingled tedium and of derision was expressed.

One of them was a handsome and well-formed fellow, the manliness of whose person made a singular contrast with the artificial effeminacy with which his countenance was invested. He lisped in a deep guttural voice, and played with his whiskers as if they were the bow-strings of Cupid. I was not a little amused by the languid complacency with which this athletic Narcissus seemed to contemplate himself. His companion on the right, was the exact reverse of the captain in manner and in aspect; for, with a feeble and fragile form, and the cheek of a woman, he put on an air of warlike defiance, and looked as Madame Vestris would in the part of Pistol. The other was a huge booby in gold and scarlet, with great meaningless eyes falling out of their sockets, and with features thrown in a chaos together.

His business appeared to be to grin at the captain's wit, and turn up a pair of dilated nostrils, through which he snorted his disdain of Ireland. These gentlemen were joined by an old officer, who was evidently a man of rank, before whom they immediately assumed an aspect of deference: like themselves he was an Englishman, but of a very different sort. He had the marks of long service on his face, which was of a strongly martial cast. There was no exhibition of haughty fierceness in his air; but his fine intelligent eye had that calm intensity of observation which denotes the "*coup-d'œil militaire*." His features were aquiline, his color was tinged by the Spanish sun, and his physiognomy united great natural sweetness of expression with the familiar habits of command. He said that he had been greatly delighted with all that he had seen, and had no notion that Dublin could produce such a display of

elegance, opulence, and beauty. He rallied his young friends upon the loss of their hearts, and the likelihood of their carrying back Irish wives to England. Against the possibilities of such a misadventure in matrimony they vehemently protested, and enlarged upon the huge feet and monstrosities of ankle exhibited by the Irish fair.

A ponderous lady, the wife of an honest burgher, was bouncing at the moment through the mazes of the third set, and seemed to be in that interesting condition which a lady of fashion, in "The Vicar of Wakefield," describes as being "all over in a muck of sweat." To make the matter worse, she took it into her head that the officers had selected her as an object of admiration; and throwing a look of greasy amateness into her face, renewed her efforts at the graceful with a desperate agility. I felt some mortification at the opportunity for ridicule, which was afforded to the young Englishmen by this piece of animated corpulency; but I was relieved by the elder officer, who pointed to a young lady in an adjoining circle of dancers, whom it was only necessary to look at for an instant, in order to feel the influence which perfect beauty will create in the rudest mind. With all their disposition to find fault, the party of military critics at once admitted that the taste of the old colonel could not be impeached, and that such a face and figure would almost justify the violation of the regimental rule, "not to marry in Ireland."

The impression produced by the girl whom the venerable veteran had selected, diverted my attention from the commentaries of the English officers. Though not tall, her figure had the perfection of youthful symmetry. Her limbs were of the finest mould, and with the round plumpness of health, united an ærial lightness and grace. The beautiful epithet which Prospero applies to the sweet minister of his spells, seemed to belong to this fascinating person, who looked as "delicate" as Ariel. Her dress was simple: it consisted merely of a pink tabinet, without decoration. A wreath of flowers bound the black hair, the ringlets of which just shaded the marble of her forehead, but fell in "ambrosial plenty" behind. Her features, although somewhat minute, had the

Siddonian character. Thought and sensibility were mingled like the white and red roses in her cheek. Her eyes were of the finest black; but, although they were both sweet and brilliant, there was an expression about them which I was at first at some loss to define. I afterward perceived that it arose merely from a shortness of sight. I could have remained, as Oroonoko says, gazing "whole nights" upon her, when happily, perhaps, for as much heart as yet abides within me, her *chaperon* warned her, at the conclusion of the dance, that it was time to retire. The morning, indeed, had just begun to show a face scarcely more beautiful, and, as if jealous of such a rival as Miss O'C——, admonished her to depart.\* She drew her shawl round her bosom, with a grace which Canova should have turned to marble, and disappeared amidst the crowd who were pouring out of the room. I remained for some moments in that state of revery, which, in my younger days, I mistook for romance, with the image of the lady before me. I was roused from my dream, however, by the recollection that I was past thirty, and that it was five o'clock. The company were gone. I stood alone, where hundreds had recently met in a joyous and brilliant concourse; and I felt how justly, as well as beautifully, Moore has compared the recollections of our youth to the sensations of one

"Who treads alone  
Some banquet-hall deserted,  
Whose lights are fled,  
Whose garlands dead,  
And all but he departed;—

Thus in the stilly night, ere slumber's chain has bound me,  
Sad memory brings the light of other days around me."

\* I have reason to believe that the lady, whose portrait is thus beautifully painted in words, was a daughter of Mr. O'Connell. At that time, she was in the pride of youth and loveliness. All of O'Connell's children were well-looking; his daughters were remarkable for their personal attractions.—M.



## CATHOLIC LEADERS AND ASSOCIATIONS.

I now propose to give some account of the various bodies which have successively managed the concerns of the Catholics, and of the individuals who have taken the most active part in their affairs.\*

Catholic Associations have been of very long existence. The Confederates of 1642 were the precursors of the Association of 1828. The Catholics entered into a league for the assertion of their civil rights. They opened their proceedings in the city of Kilkenny, where the house is shown in which their assemblies were held. They established two different bodies to represent the Catholic people—namely, a general assembly, and a supreme council. The first included all the lords, prelates, and gentry, of the Catholic body; and the latter consisted of a few select members, chosen by the general assembly out of the different provinces, who acted as a kind of executive, and were recognised as their supreme magistrates. These were “the Confederates.” Carte, in his “Life of Ormonde,” calls them “an Association.” He adds that the first result of their union was an address to the King [Charles I.], in which they demanded justice, and besought him “timely to assign a place where they might with safety express their grievances.” On receiving this address, the King issued a commission under the great seal, empowering the commissioners to treat with the

\* This sketch, full of historical and personal interest, appeared in October, 1828, and was marked “To be continued”—an unfulfilled promise, probably caused by Mr. Sheil’s “invasion of Kent” (immediately after it was written), as related in the next volume.—M.

Confederates, to receive in writing what they had to say or propound, and to transmit it to his Majesty.

This commission was dated the 11th of January, 1642. Ormonde says, in one of his letters, that "the Lords Justices used every endeavor to prevent the success of the commission, and to impede the pacification of the country." The supreme council of "the Confederates" was sitting at Ross, and a despatch was transmitted by the Lords Justices to them, in which the phrase "odious rebellion" was applied to their proceedings. At this insult they took fire—they had arms in their hands, and returned an answer, in which they stated that "it would be a meanness beyond expression in them who fought in the condition of loyal subjects, to come in the repute of rebels to set down their grievances. We take God to witness," added they, "that there are no limits set to the scorn and infamy that are cast upon us, and we will be in the esteem of loyal subjects, or die to a man!" A terrible civil war ensued. On the 28th of July, 1646, Lord Digby published a proclamation of peace with the Confederates. The Pope's Nuncio, Renuccini, induced the former to reject the terms. The war raged on. At length, in 1648, Ormonde concluded a treaty with them; but, soon after, Cromwell landed in Ireland, and crushed the Catholics to the earth.

Thus an early precedent of a Catholic Association is to be found at the distance of upward of a hundred and eighty-six years. I pass over the events of the Revolution. The penal code was enacted. From the Revolution to the reign of George II., the Catholics were so depressed and abject, that they did not dare to petition, and their very silence was frequently the subject of imputation, as affording evidence of a discontented and dissatisfied spirit. Upon the accession of George II., in 1727, Lord Delvin, and the principal of the Roman Catholic gentry, presented a servile address, to be laid by the Lords Justices before the throne. They were in a condition so utterly despicable and degraded, that not even an answer was returned. But Primate Boulter, who was a shrewd and sagacious master of all the arts of colonial tyranny, in a letter to Lord Carteret, intimates his apprehension at this first act since

the Revolution, of the Catholics as a community; and immediately after they were deprived of the elective franchise by the 1st George II., ch. 9, sec. 7. The next year came a bill which was devised by Primate Boulter, to prevent Roman Catholics from acting as solicitors.

Here we find, perhaps, the origin of the Catholic rent. Several Catholics in Cork and Dublin raised a subscription to defray the expense of opposing the bill, and an apostate priest gave information of this conspiracy (for so it was called) to bring in the Pope and the Pretender. The transaction was referred to a committee of the House of Commons, who actually reported that five pounds had been collected, and resolved that "it appeared to them that, under pretence of opposing heads of bills, sums of money had been collected, and a fund established by the Popish inhabitants of this kingdom, highly detrimental to the Protestant interest."

These were the first efforts of the Roman Catholics to obtain relief, or rather to prevent the imposition of additional burdens. They did not, however, act through the medium of a committee or association. It was in the year 1757, upon the appointment of the Duke of Bedford to the viceroyalty of Ireland, that a Committee was for the first time formed, of which the great model, perhaps, was to be discovered in "the Confederates" of 1642; and ever since that period the affairs of the body have been more or less conducted through the medium of assemblies of a similar character. The Committee of 1757 may be justly accounted the parent of the great Convention which has since brought its enormous seven millions into action. The members of the Committee formed in that year were delegated and actually chosen by the people. They were a Parliament invested with all the authority of representation. Their first assembly was held in a tavern called "The Globe," in Essex street, Dublin. After some sittings, Mr. Wyse, of Waterford, the ancestor of the gentleman who has lately made so conspicuous a figure in Catholic politics, proposed a plan of more extended delegation, which was at once adopted. In 1759, this body was brought into recognition by the state; for, upon the alarm of the invasion of Conflans, the Roman Catho-



lic Committee prepared a loyal address, which was presented to John Ponsonby, the then Speaker, by Messrs. Crump and M'Dermot, two delegates, to be transmitted by him to the Lord-Lieutenant. A gracious answer to this address was returned, and published in the "Gazette." The Speaker summoned the two delegates to the House of Commons, and the address was then read. Mr. M'Dermot, in the name of his body, thanked the Speaker for his condescension.

This was the first instance in which the political existence of the Irish Catholics was acknowledged, through the medium of their Committee. This recognition, however, was not followed by any immediate relaxation of the penal code. Twelve years elapsed before any legislative measure was introduced which indicated a more favorable disposition toward the Catholic community, if, indeed, the 11th and 12th of George III. can be considered as having conferred any boon upon that degraded people. The statute was entitled, "An act for the reclaiming of unprofitable bogs;" and it enabled Papists to take fifty acres of unprofitable bog for sixty-one years, with half an acre of arable land adjoining, provided that it should not be within one mile of a town. The provisions of this act of Parliament indicate to what a low condition the great mass of the population had been reduced, and illustrate the justice of Swift's remark, that the Papists had become mere hewers of wood and drawers of water. However, the first step was taken in the progress of concession; and every day the might of numbers, even destitute of all territorial possession, pressed more and more upon the Government.

The Catholic Committee pursued its course, and in 1777 extorted the first important relaxation; for they acquired the right of taking leases for nine hundred and ninety-nine years, and their landed property was made descendible and devisable, in the same manner as Protestant estates. In 1782, the difficulties of the Government augmented, and the Catholic Committee pressed the consideration of their claims upon the Ministry. By the 21st and 22d of George III., Papists were enabled to purchase and dispose of landed property, and were placed, in that respect, upon an equality with Protestants.

Thus they were rashly left beyond the state, but were furnished with that point from which the engine of their power has been since wielded against it.

From 1782 until 1793, no further concessions were made; but the Catholics increased in power, until, in 1792, their Committee assumed a formidable aspect. Theobald Wolfe Tone, in his *Memoirs*, gives the following account of what may be called the Association of that period: "The General Committee of the Catholics, which, since the year 1792, has made a distinguished figure in the politics of Ireland, was a body composed of their bishops, their country gentlemen, and of a certain number of merchants and traders, all resident in Dublin, but named by the Catholics in the different towns corporate to represent them. The original object of this institution was to obtain the repeal of a partial and oppressive tax called Quarterage, which was levied on the Catholics only; and the Government, which found the Committee at first a convenient instrument on some occasions, connived at their existence. So degraded was the Catholic mind at the period of the formation of their Committee, and long after, that they were happy to be allowed to go up to the Castle with an abominable slavish address to each successive Viceroy; of which, moreover, until the accession of the Duke of Portland in 1782, so little notice was taken, that his Grace was the first who condescended to give them an answer [N. B. this is a mistake]; and, indeed, for above twenty years, the sole business of the general Committee was to prepare and deliver in those records of their depression. The effort which an honest indignation had called forth at the time of the Volunteer Convention of 1783, seemed to have exhausted their strength, and they sunk back into their primitive nullity. Under this appearance of apathy, however a new spirit was gradually arising in the body, owing principally to the exertions and the example of one man, John Keogh, to whose services his country, and more especially the Catholics, are singularly indebted. In fact, the downfall of feudal tyranny was acted in little on the theatre of the General Committee. The influence of their clergy and of their barons was gradually undermined; and the third estate, the com-

mercial interest, rising in wealth and power, was preparing, by degrees, to throw off the yoke, in the imposing, or at least continuing of which, the leaders of the body, I mean the prelates and the aristocracy, to their disgrace be it spoken, were ready to concur. Already had those leaders, acting in obedience to the orders of the Government, which held them in fetters, suffered one or two signal defeats in the Committee, owing principally to the talents and address of John Keogh: the parties began to be defined, and a sturdy democracy of new men, with bolder views and stronger talents, soon superseded the timid counsels and slavish measures of the ancient aristocracy."

Until John Keogh appeared among them, and asserted that superiority in public assemblies which genius and enterprise will always obtain over the sluggish pride of inert and apathetic rank, the proceedings of the Committee had been, as Tone here intimates, under the control of the Catholic aristocracy. They were the sons of men who had lived in the period of utter Catholic degradation; and many of them remembered the time when the privileges of a gentleman were denied to a Catholic nobleman, and a Popish peer was not allowed to wear a sword! They had contrived to retain their properties by expedients which were calculated to debase their political spirit; and it is not very wonderful that even when the period had arrived when they might hold themselves erect, they did not immediately divest themselves of that stoop, which the long habit of bearing burthens had of necessity given.

Accordingly, they opposed the measures of a bold and adventurous character, which the plebeian members of the Committee had suggested; and at last adopted the preposterous expedient of seceding from the body. Wolfe Tone, who was secretary to the Committee, and whose evidence is of great value, gives the following account of this incident:—"The Catholics," he says, "were rapidly advancing in political spirit and information. Every month, every day, as the Revolution in France went prosperously forward, added to their courage and their force, and the hour seemed at last arrived when, after a dreary oppression of above one hundred years, they were



once more to appear in the political theatre of their country. They saw the brilliant prospect of success, which events in France open to their view, and they determined to avail themselves with promptitude of that opportunity which never returns to those who omit it. For this, the active members of the General Committee resolved to set on foot an immediate application to Parliament, praying for a repeal of the penal laws.

“The first difficulty they had to surmount arose in their own body; their peers, their gentry, as they affected to call themselves, and their prelates, either reduced or intimidated by Government, gave the measure all possible opposition; and, at length, after a long contest, in which both parties strained every nerve, and produced the whole of their strength, the question was decided on a division in the Committee, by a majority of at least six to one, in favor of the intended application. The triumph of the young democracy was complete; but, though the aristocracy was defeated, they were not yet entirely broken down. By the instigation of Government, they had the meanness to secede from the General Committee, to disown their acts, and even to publish in the papers, that they did not wish to embarrass the Government, by advancing their claims of emancipation.

“It is difficult to conceive such a degree of political degradation. But what will not the tyranny of an execrable system produce in time? Sixty-eight gentlemen, individually of high spirit, were found, who publicly, and in a body, deserted their party, and their own just claims, and even sanctioned this pitiful desertion by the authority of their signatures. Such an effect had the operation of the penal laws on the Catholics of Ireland, as proud a race as any in all Europe!”

The secession of the aristocracy did not materially enfeeble the people. New exertions were made by the democracy. A plan of more general and faithful representation was devised by Mr. M’Keon, which converted the Committee into a complete Catholic parliament. Members were elected for every county in Ireland, and regularly came to Dublin to attend the meetings of this extraordinary convention. At the head of

this assembly was the individual of whom Wolfe Tone makes such honorable mention, John Keogh.

He was, in the years 1792 and 1793, the unrivalled leader of the Catholic body. He belonged to the middle class of life, and kept a silk-mercier's shop in Parliament street, where he had accumulated considerable wealth. His education had corresponded with his original rank, and he was without the graces and refinements of literature; but he had a vigorous and energetic mind, a great command of pure diction, a striking and simple earnestness of manner, great powers of elucidation, singular dexterity, and an ardent, intrepid, and untameable energy of character. His figure was rather upon a small scale; but he had great force of countenance, an eye of peculiar brilliancy, and an expression in which vehement feelings and the deliberative faculties were combined. He was without a competitor in the arts of debate; occasionally more eloquent speeches were delivered in the Catholic convention, but John Keogh was sure to carry the measure which he had proposed, however encountered with apparently superior powers of declamation.

Wolfe Tone has greatly praised him in several passages of his work; but there are occasional remarks in the diary which was kept by that singular person, when secretary to the Catholic Committee, in which statements unfavorable to John Keogh are expressed. This diary was never intended for publication, and is written in a very easy and familiar style. He calls John Keogh by the name of "Gog," and represents him as exceedingly subtle, dexterous, and cunning, and anxious to such an extent to do everything himself, as to oppose good measures when they were suggested by others. He might have had this fault, but as Wolfe Tone wrote down the ephemeral impressions which were made upon him by occasional incidents in his journal, it is more reasonable to look at the general result of the observations on this able man, which are to be found in his autobiography, than to the remarks which were committed every day to his tablets. As secretary to the Catholics, he was himself liable to be sometimes thwarted by Mr. Keogh; and it is likely that, under the influence of

some small annoyances, he has set down in his journal some strictures upon his friend.

Afterward, however, when Wolfe Tone was in France, he reverts, in the diary subsequently kept by him, to John Keogh, and, when far away, voluntarily writes a high encomium upon the leader of the Irish Catholics. It is to be collected from his work, that John Keogh had a deep hostility to England, and that he was disposed to favor the enterprise of Wolfe Tone. However, he did not, in Ireland, escape the usual charges of corruption. In the year 1793, he negotiated with the Minister the terms upon which the partial emancipation, which was then granted to the Catholics, was to be conceded.

Whenever a leader of the people is brought into contact with authority, he will incur injurious surmises, should the result not correspond with popular expectation. It was said, that had John Keogh insisted upon complete emancipation, everything would, in that moment of emergency, have been obtained. It was insinuated, and for a long time believed, that he received a large sum of money as a remuneration for his complaisance; but there is no sort of proof that he sold his country, and his opulence should, by generous men, who are slow to believe in the degradation of human nature, be rather referred to his honorable industry in his trade, than to any barter of the liberties of Ireland. It is difficult to determine whether, if the Catholics had been peremptory in their requisition for equality, they could have forced the Minister to yield. I am inclined to think that they would have encountered obstacles in the mind of the late King,\* which could not

\* The Legislative Union of Ireland was the favorite measure of William Pitt. To the Irish Catholics, he held out hopes, nearly as strong as promises, that the abolition of their political disabilities would follow. George III., who was cognizant, all through, of this understanding with the Catholics, was decidedly averse to concession, when the measure was named to him, whereupon Pitt quitted office in disgust. Three years after, he returned to power, and died in January, 1806. "All The Talents," comprising Lord Grenville's Ministry, in 1807, vainly essayed to change the King's Anti-Catholic views (he thought that concession to the Catholics would be a breach of his coronation oath to defend the Protestant Church) and very soon after they were cavalierly dismissed, and the Perceval Ministry formed.—M.



have been overcome; and it must be acknowledged, that for what was obtained (and that was much), his country is principally indebted to Mr. Keogh, and to the Committee of which he was the head.

In 1793 the elective franchise was obtained. The seed was then cast, of which we have seen the fruits in the elections of Waterford, and Louth, and Clare. Great joy prevailed through the Catholic body, who felt that they had now gained, for the first time, a footing in the state, and were armed with the power, if not of bursting open, of at least knocking loudly at the gates of the constitution. For some time the question lay at rest. The rebellion then broke out—the Union succeeded—and the Catholic cause was forgotten. It was not even debated in the British House of Commons until the year 1805, when the measure was lost by an immense majority.

John Keogh, being advanced in life, had retired, in a great degree, from public proceedings, and confined himself to his residence at Mount Jerom, in the vicinity of Dublin. He had been previously defeated in a public assembly by a young barrister, who had begun to make a figure at the bar, to which he was called in the year 1798, and who, the moment he took a part in politics, made a commanding impression. This barrister was Daniel O'Connell, who, in overthrowing the previous leader of the body upon a question connected with the propriety of persevering to petition the legislature, gave proof of the extraordinary abilities which have been since so successfully developed. Mr. Keogh was mortified, but his infirmities, without reference to any pain which he might have suffered, were a sufficient inducement to retire from the stage where he had long performed the principal character with such just applause. Mr. O'Connell was, however, too deeply engaged in his professional pursuits to dedicate as much of his attention and of his time as he has since bestowed to political concerns; and, indeed, the writer of this article remembers the time when his power of public speaking, and of influencing popular assemblies, was by no means so great as it has since become. The fortune with which he came to the bar (for his father and uncle were then alive) was not considerable, and it

was of more importance to him to accumulate legal knowledge and pecuniary resources than to obtain a very shining political name.\* So much has been already written with respect to this eminent individual, and the public are so well acquainted with the character of his mind and talents, that it is not necessary to expatiate upon them.

Another person appeared after the secession of John Keogh, of very great abilities, with whose name the English public have been less familiar. Mr. Denis Scully, the eldest son of a gentleman of large property in the County of Tipperary, and who had been called to the bar, obtained, by his admirable writings, an influence almost equal to that of Mr. O'Connell in the Catholic Committee, which was revived in all its vigor, and became the object of Mr. Saurin's prosecutions in 1811. Mr. Scully had, upon his entrance into public life, written some pamphlets in support of Government, and it was believed that his marriage to a lady who was related to Lady Hardwicke had given a determination to his opinions. When Lord Hard-

\* O'Connell did not join the United Irishmen in 1798, when he was aged twenty-three. He disapproved of their "argument of force," relying rather on the "force of argument." It is said that he even became member of a yeomanry corps. Two principles he started with, and retained to the end:—that he who committed an outrage supplied the enemy with a weapon to be used against the country, and that Ireland could not be prosperous until the Legislative Union with England was repealed. The "Young Ireland" schism, which so much annoyed him at the close of his career, was caused by his continued resistance to the doctrine of "physical force" held by Meagher, Mitchel, and others of the young and gallant patriots. As for the Union, O'Connell's first public effort was against it. His maiden speech, on January 13, 1800, was at a Catholic meeting in Ireland, and in unequivocal condemnation of that measure. The resolutions of this meeting, drawn up by O'Connell, declared the Union, then proposed, to be "in fact, an extinction of the liberty of Ireland, which would be reduced to the abject condition of a province, surrendered to the mercy of the Minister and Legislature of another country, to be bound by their absolute will, and taxed at their pleasure by laws, in the making of which Ireland would have no efficient representation whatever." All through the struggle for Catholic Emancipation, and to the last, O'Connell was constant in declaring that "the Repeal" must be the end of all. In other words, from 1800 to 1847, O'Connell declared that there must be a Repeal of the Union, to make Ireland

"Great, glorious, and free—

First flower of the earth and first gem of the sea."—M.

wicke was in Ireland, Mr. Scully was a good deal sought for at the Castle.\*

His first writings, however, were merely juvenile effusions; and he afterward felt that the only means of obtaining justice for Ireland was by awakening a deep sense of their injuries among the great mass of the people. Accordingly the character of his compositions was materially changed; and from his study in Merrion-square there issued a succession of powerful and inflammatory writings. A newspaper, of which Mr. *Æneas Mac Donnel* was named the editor, was established by Mr. O'Connell and Mr. Scully; and both those gentlemen, but especially the latter, contributed their money and their talents to its support. The wrongs of the country were presented in the most striking view; and while the Government looked with alarm on these eloquent and virulent expositions of the condition of the people, the people were excited to a point of discontent, to which they had never before been raised.

Mr. Scully gained great influence over the public mind by these services. His work upon the penal code, which is an admirable digest of the laws and of their results, set a crown upon his reputation. No book so able, so convincing, and uniting so much philosophy with so much eloquence, had yet appeared. It brought the whole extent of Catholic suffering at once under view, and condensed and concentrated the evils of the country. This work created an unprecedented impression, and gave to its author an ascendancy in the councils of the Catholic Committee. He was greatly inferior to Mr. O'Connell as a speaker, but was considered fully as able in preliminary deliberation. The measures of the body were generally believed to be of his suggestion, and it was said that he had gained a paramount influence over Mr. O'Connell himself. "The witchery resolutions," as they are generally designated—for they related to the influence of an enchantress of fifty over the King†—were supposed to be his composi-

\* The third Earl of Hardwicke, born in 1757, was Lord Lieutenant of Ireland from 1801 to 1806, and died in 1834.—M.

† It was fondly anticipated by the Catholics that, whenever the Prince of Wales should have any actual power, he would do what he could to obtain



tion, and it was alleged that he omitted no efforts, in conjunction with the late Lord Donoughmore,\* to cause them to be

Emancipation. In 1810, when George III. was again afflicted with insanity (from which he never recovered), his eldest son was made Prince Regent, to govern in his father's name, but, after the first twelve months, with all but the name of King. He retained the illiberal ministry, headed by Mr. Perceval, and at the year's end, declared that he would retain that Minister, though he should be glad if some of his early friends would join the government. Lord Grey and Grenville, whom he named, declined. Immediately after, when the Assassination of Perceval rendered a new ministry necessary, Grey and Grenville were again applied to, but insisted on being allowed, at starting, to change the entire household of the Regent. Sheridan, who supported the Regent and was much in his confidence then, had previously written in their name, as an "Address to the Prince," the following imitation of Rochester's lines to Charles II. :

"In all humility we crave,  
Our Regent may become our slave;  
And, being so, we trust that he  
Will thank us for our loyalty.  
Then, if he'll help us to pull down  
His father's dignity and crown,  
We'll make him, *in some time to come*,  
The greatest prince in Christendom."

Lord Liverpool, a strong anti-Catholic, was made Premier. The Irish leaders then passed several resolutions, one of which denounced "the fatal witchery" which had led the Regent to form a ministry hostile to Irish liberty of conscience. This alluded to the then Marchioness of Hertford, a stout, middle-aged woman (the Regent's first wife was "fat, fair, and forty"), and was a strong Tory. It was believed that she was the Regent's mistress, while his most constant male friends were her husband and son—the latter being then nearly forty years of age! These "witchery" resolutions so much annoyed the Regent that, seventeen years elapsed before, under strong pressure, he could be brought to consent to Catholic Emancipation.—M.

\* Richard Hely Hutchinson, born 1756, was son of that Mr. Hutchinson (provost of Trinity College, Dublin, in 1761, and Irish Secretary of State in 1777), whose thirst of acquisition was so great that the British Minister described him as one who, if he obtained Ireland as an estate, would ask for the adjacent Isle of Man, as a kitchen garden. The son was created Baron, Viscount, and Earl, and was made a British Viscount in 1821. Dying in 1825, he was succeeded by his brother, who had succeeded Abercrombie in military command in Egypt, and had been created Lord Hutchinson, in 1801, with a pension of two thousand pounds sterling. On his death, in 1832, his nephew became Earl of Donoughmore, but had won a loftier fame, in 1815, by assisting in the escape of Lavalette from the prison in Paris, where certain death awaited him from the vengeance of the Bourbons. During the present century, all the Hutchinson family have been friends of civil and religious liberty.—M.

carried. The resolutions passed at the "Black Abbey" at Kilkenny were also framed by Mr. Scully, who narrowly escaped incarceration for his elucubrations.

Mr. John Magee, the proprietor of the Evening Post, and Mr. Fitzpatrick, were imprisoned for his sins; but I have always understood that Mr. Scully made them a compensation for their sufferings on his account. He became an object of great detestation with the Protestant party, and of corresponding partiality with his own. But, in the height of his political influence, the death of his father, and a domestic lawsuit, which engrossed all his mind, induced him to retire in a great measure from public life; and afterward the decay of health prevented him from taking any part in the proceedings of his body.

The Catholics have sustained a great loss in him. His large property, his indefatigable industry, his profound sense of the injustice which his country had suffered, and the eloquent simplicity with which he gave it expression, rendered him adequate to the part which had devolved upon him. His chief fault lay in the intemperate character of the measures which he recommended. His manner and aspect were in singular contrast and opposition to his political tendencies. In utterance he was remarkably slow and deliberate, and wanted energy and fire. His cadences were singularly monotonous, every sentence ending with a sort of see-saw of the voice, which was by no means natural or agreeable. His gesture was plain and unaffected, and it was easier to discover his emotions by the trembling of his fingers than by his countenance; for his hand would, under the influence of strong feeling or passion, shake and quiver like an aspen-leaf, while his countenance looked like marble. It was impossible to detect his sensations in his features. A deep smile played over his mouth, whether he was indulging in mirthful, in pleasurable, or sarcastic observation. He had some resemblance to Bonaparte in figure, when the latter grew round and corpulent, but was more unwieldy. I have often thought, too, that in his massive and meditative features I could trace an imperial likeness.

It was about sixteen or seventeen years ago that this gentleman made so distinguished a figure in the Catholic Committee. There were many others who at that time took an active share in Catholic politics, and who are since either dead, or have retreated from publicity. The late Lord French was among the most remarkable. He was a very tall, brawny, pallid, and ghastly-looking man, with a peculiarly revolutionary aspect, and realised the ideal notions which one forms of the men who are most likely to become formidable and conspicuous in the midst of a political convulsion. He had a long and oval visage, of which the eyebrows were thick and shaggy, and whose aquiline nose stood out in peculiar prominence, while a fierce smile sat upon cheeks as white as parchment, and his eyes glared with the spirit that sat within them. His manners were characterized by a sort of drawling urbanity, which is observable among the ancient Catholic gentry of Connaught; and he was studiously and sometimes painfully polite. He was not a scholar, and must have received an imperfect education. But his mind was originally a powerful one, and his deep voice, which rolled out in a peculiarly melancholy modification of the Irish brogue, had a dismal and appalling sound. He spoke with fluency a diction which belonged exclusively to him. It was pregnant with vigorous but strange expression, which was illustrated by gesture as bold, but as wild. He was an ostentatious duellist, and had frequent recourse to gladiatorial intimations. Pride was his leading trait of character, and he fell a victim to it. He had connected himself with a bank in Dublin, and having become bankrupt, rather than brook the examination of the commissioners at the Exchange, he put himself, in a paroxysm of insanity, to death. I thought him, with all his defects, a lover of his country.

It would be difficult to imagine two persons more strongly opposite in character and in manner than Lord French and the Premier Catholic nobleman the Earl of Fingal. He has since left to his able and intelligent son the office which he so long and so usefully filled, as head of the Catholic body; but, about the period of which I am speaking, he was the chief, in



point of rank, of the Irish Catholics, and presided at their meetings. Lord Fingal is one of the most amiable and kind men whom it has been my good fortune to have been ever acquainted with. Without the least shadow of arrogance, and although incapable of hurting the feelings of any man, he still preserves his patrician dignity unimpaired, and commands the respect as well as the impartiality of every one who approaches him. Although not equal to his son in intellectual power, he has excellent sense and admirable discretion. He has made few or no mistakes in public life, and very often, by his coolness and discretion, has prevented the adoption of rash and injudicious measures. His manners are disarming; and I have understood, upon good authority, that when in London, where he used almost annually to go, as head of the Catholic body, he has mitigated, by the charm of his converse, the hostility of some of his most rancorous political opponents. As a speaker, he is without much ability; but there is a gentleness and a grace about him which supply the place of eloquence, and render his audience so favorable to him, that he has often succeeded in persuading, where others of greater faculty might have employed the resources of oratory in vain.

An individual, who is now dead, about this time made a great sensation, not only in the Catholic Association, but through the empire. This was the once-famous Doctor Drumgoole, whom Lord Kenyon seems determined not to allow to remain in peace. He was the grand anti-vetoist, and was, I believe, a most sincere and unaffected sentinel of religion. He kept watch over the Catholic hierarchy, and took the whole body of the clergy under his vigilant protection. It was, however, a speech which he delivered at the Shakspeare Gallery, in Exchequer street [Dublin], at a Catholic meeting, that tended chiefly to give him notoriety. He assailed the tenets of the established religion with a good deal of that sort of candor which Protestants at that period regarded as the height of presumption, but which is now surpassed every day by the harangues of the orators of the Catholic Association. The Doctor's speech may be considered as a kind of epoch in Catholic politics; for he was the first who ventured to employ against

the opponents of Emancipation the weapons which are habitually used against the professors of the Roman Catholic religion. Men who swear that the creed of the great majority of Christians is idolatrous and superstitious, should not be very sensitive when their controversial virulence is turned upon them.

The moment Doctor Drumgoole's philippic on the Reformation appeared, a great outcry took place, and Roman Catholics were not wanting to modify and explain away the Doctor's scholastic vituperation. He himself, however, was fixed and stubborn as the rock on which he believed that his doctrines were built. No kind of apology could be extorted from him. He was, indeed, a man of a peculiarly stubborn and inflexible cast of mind. It must, however, be admitted that, for every position which he advanced, he was able to adduce very strong and cogent reasoning. He was a physician by profession, but in practice and in predilection he was a theologian of the most uncompromising sort. He had a small fortune, which rendered him independent of patients, and he addicted himself, strenuously and exclusively, to the study of the scholastic arts. He was beyond doubt a very well-informed and a clever man. He had a great command of speech, and yet was not a pleasing speaker. He was slow, monotonous, and invariable. His countenance was full of medical and theological solemnity, and he was wont to carry a huge stick with a golden head, on which he used to press both his hands in speaking; and indeed, from the manner in which he swayed his body, and knocked his stick at the end of every period to the ground, which he accompanied with a strange and guttural "hem!" he seemed to me a kind of rhetorical pavior, who was busily engaged in making the great road of Liberty, and paving the way to Emancipation.

The Doctor was in private life a very good and gentle-natured man. You could not stir the placidity of his temper unless you touched upon the Veto; and upon that point he was scarcely master of himself. I remember well, years after all discussion upon the subject had subsided, when I was in Paris, on a visit at the house of a friend of the Doctor's and my own, he suddenly walked in, just after his arrival from Rome. I

had not seen him for a considerable time, but I had scarcely asked him how he was, when he reverted to the Veto. A debate (it was in the year 1819) was immediately opened on the subject. Some Irish gentlemen dropped casually in; they all took their share in the argument. The eloquence of the different disputants became inflamed: the windows toward the street had been left unhappily open; a crowd of Frenchmen collected outside, and the other inhabitants of the house gathered at the doors to hear the discussion. It was only after the Doctor, who was still under the influence of Vetophobia, had taken his leave, that I perceived the absurdity of the incident. A volume of "Gil Blas" was on the table where we happened to have been assembled, and by accident I lighted on the passage in which he describes the Irish disputants at Salamanca: "*Je rencontrois quelque fois des figures Hibernoises. Il falloit nous voir disputer,*" &c. We are a strange people, and deserve our designation at the foreign universities, where it was proverbially said of the Irish that they were "*ratione furentes.*"

There were others besides the persons whom I have described, who at this juncture took a part in the Catholic politics, and who are deserving of mention; but as they have recently made a figure even more conspicuous than at the Catholic Committee, I reserve them for subsequent delineation. The only other person whom I remember as worthy of much note, and who has retired from Catholic assemblies, was Peter Bodkin Hussey. Peter was a very droll, sarcastic, and amusing debater. He dealt almost exclusively in irony, and employed a good deal of grotesque imagery in his action, which, if it did not instruct, served at least the purposes of entertainment. He had a very rubicund and caustic countenance, that was surmounted with a profusion of red hair; and, from his manner and aspect, he was not unhappily designated as "Red Precipitate." I don't know from what motive he has retired from political life; but, though he is still young, he has not recently appeared at any Roman Catholic assembly.

These were the individuals who, besides the performers who still continue on the boards, chiefly figured at the Catholic Committee, which, in the year 1811, was made the object of a



prosecution by Mr. Saurin. Mr. Kirwan and Doctor Sheridan were indicted upon the Irish Convention Act, for having been elected to sit in the Catholic Parliament. The Government strained every nerve to procure a conviction. Mr. Saurin commenced his speech in the following words: "My Lords and gentlemen of the jury, I can not but congratulate you and the public that the day of justice has at length arrived;" and the then Solicitor-General, the present Chief-Justice Bushe, in speaking of the Committee, constituted as it was, concluded his oration thus: "Compare such a constitution with the established authorities of the land, all controlled, confined to their respective spheres, balancing and gravitating to each other—all symmetry, all order, all harmony. Behold, on the other hand, this prodigy in the political hemisphere, with eccentric course and portentous glare, bound by no attraction, disdaining any orbit, disturbing the system, and affrighting the world." Upon the first trial, the Catholic Committee were acquitted; but upon the second, the Attorney-General [Saurin] mended his hand, and the jury having been packed, the comet was put out.

The Catholic Committee, as a representative body elected by the people, and consisting of a certain number of members delegated from each town and county, ceased to exist. A great blow had been struck at the cause, and a considerable time elapsed before Ireland recovered from it. The Russian war ensued, and Bonaparte fell. The hopes of the Catholics fell with the peace. A long interval elapsed, in which nothing very important or deserving of record took place. A political lethargy spread itself over the great body of the people, and the assemblies of the Catholics became more unfrequent, and their language more despondent and hopeless than it had ever before been. The unfortunate differences which had taken place between the aristocracy and the great body of the people respecting the Veto, had left many traces of discord behind, and divided them from each other; they no longer exhibited any very formidable object to their antagonists.

Thus matters stood till the year 1821, when the King intimated his intention to visit Ireland. The nation awoke at

this intelligence; and it was believed by the Catholics, and surmised by the Protestants, that their sovereign could scarcely mean to visit this portion of his dominions from any idle curiosity, or from an anxiety to play the principal part in a melodramatic procession through the Irish metropolis. It was reasonably concluded that he must have intended to come as the herald of national tranquillity, and as the great pacificator of his people. Before his arrival, the two parties formed a temporary amnesty; and Mr. O'Connell, who had gained the first eminence in his profession, and had become the undisputed leader of the Catholic body, used his best endeavors to effect a reconciliation between the Orangemen of the Corporation and the Irish Catholics.

Sir Benjamin Bloomfield\* arrived in Dublin before his master, and intimated the Royal anxieties that all differences and animosities should be laid aside. Accordingly, it was agreed that a public dinner should be held at Morrison's tavern, where the leaders of both factions should pledge each other in libations of everlasting amity. This national festivity took place; and from the vehement protestations on both sides, it was believed by many that a lasting reconciliation had been effected. Master Ellis and Mr. O'Connell almost embraced each other. The King arrived; the Catholics determined not to intrude their grievances upon him. Accordingly our gracious Sovereign passed rather an agreeable time in Dublin. He was hailed with tumultuous hurra† wherever he passed;

\* Sir Benjamin Bloomfield, born in 1762, was an Irish artillery officer when he attracted the notice of the Prince of Wales, who made him a member of his household in 1808, knighted him in 1815, and in 1817, on the resignation of Sir John MacMahon, appointed him Receiver-General of the Duchy of Cornwall, private Secretary, and Keeper of the privy purse. All these were lucrative offices, and Bloomfield "feathered his nest" very well. In 1824, his Royal Master, then George IV. quarrelled with him about a lady (the late fat and fair Marchioness of Conyngham), and Sir Benjamin was sent, in a sort of honorable exile, as Ambassador to Sweden. In May, 1825, he was created Lord Bloomfield, and he died in August, 1846. The secret history of this court favorite's rise and fall is full of interest, but too long to be related here.—M.

† No doubt, a great deal may be done, in the way of concession, to obtain "peace and quietness." This is said to be the principle on which so much

and in return for the enthusiastic reception which he had found, he directed Lord Sidmouth to write a letter, recommending it to the people to be united. His Majesty shortly afterward set sail, with tears in his eyes, from Kingstown. For a little while the Catholics continued under the miserable deception under which they had labored during the Royal sojourn, but when they found that no intention existed to introduce a change of system into Ireland—that the King's visit seemed an artifice, and Lord Sidmouth's epistle meant nothing—and that while men were changed, measures continued substantially unaltered, they began to perceive that some course more effectual than a loyal solicitude not to disturb the repose of Majesty, should be adopted.

The present Catholic Association rose out of the disappointment of the people. Its foundations were laid by Mr. O'Connell, in conjunction with Mr. Sheil. They both happened to meet at the house of a common friend in the mountains of Wicklow, and after exchanging their opinions on the deplorable state to which the Catholic mind had been reduced, and the utter want of system and organization in the body, it was agreed by those gentlemen that they should both sign an address to the Irish Catholics, and enclose it to the principal members of the body. This proceeding was considered presumptuous by many of the individuals to whom their manifesto was directed; and under other circumstances, perhaps, it might be regarded as an instance of extreme self-reliance; but it was absolutely necessary that some endeavor should be made to rouse the national mind from the torpor into which it had fallen.

A very thin meeting, which did not consist of more than power is permitted to the fair sex.—O'Connell yielded a great deal when George the Fourth came to Ireland, in 1821, whereof Byron wrote,

“The Messiah of royalty comes,

Like a goodly Leviathan rolled from the waves.”

O'Connell presented an immense shamrock to George IV., and even drank “The pious, glorious, and immortal memory of William III.,” with Dublin Corporation—the offensive part of the toast was no doubt omitted. But as soon as the King left the island, the old political feuds revived—the stronger for the interregnum.—M.



about twenty individuals, was held at a tavern set up by a man of the name of Dempsey, in Sackville street; and it was there determined that something should be done. The foundations of the Association were then laid, and it must be owned that its first meetings afforded few indications of the importance and the magnitude to which it was destined to be raised. The attendance was so thin, and the public appeared so insensible to the proceedings which took place in those small convocations, that it is almost surprising that the enterprise was not relinquished in despair. The Association in its origin was treated with contempt, not only by its open adversaries, but Catholics themselves spoke of it with derision, and spurned at the walls of mud, which their brethren had rapidly thrown up, and which were afterward to become *altæ mœnia Romæ*. At length, however, the men who had formerly been active in Catholic affairs were got together, and the great body of the people were awakened from their insensibility. The powerful appeals of Daniel O'Connell, who now began to develop even greater abilities than he had before exhibited, and whose ambition was excited by the progress which he had made in his profession, stirred the mind of Ireland.

The aristocracy, who had been previously alienated, had forgotten many affronts which had been put upon them, and began to reunite themselves with the people. Lord Killeen, the son of the Earl of Fingal, came forward as the representative of his father and of the Catholic nobility. He was free from the habits of submission which the Catholic aristocracy had contracted at the period of their extreme depression, and was animated by an ardent consciousness of the rights which were withheld from him. This young nobleman threw himself into a zealous co-operation with Mr. O'Connell, and by his abilities aided the impression which his rank and station were calculated to produce. His example was followed by other noblemen; and Lord Gormanstown, a Catholic peer of great fortune, and of very ancient descent, although hitherto unused to public life, appeared at the Catholic Association. This good man had labored for many years under the impression that the Catholics were frustrating their own objects by the

violence with which they were pursued, and had, in consequence, absented himself from their assemblies; but at length the delusion passed away. His example was followed by the Earl of Kenmare, who, though he did not actually attend the Association (for he abhors popular exhibition), sent in the authority of his name, and his pecuniary contribution.

Thus the aristocracy was consolidated with the Catholic democracy, and Mr. O'Connell began to wield them both with the power of which new manifestations were every day given. In a little time a general movement was produced through the country; the national attention was fixed upon the deliberations of the body which had thus started up from the ruins of the old Catholic Committee; its meetings became crowded to excess. The newspapers teemed with vehement harangues; and the public mind, heated and excited by these impassioned and constantly-repeated appeals,\* began to exhibit an entirely different character.

The junction of the aristocracy and of the democracy was a most important achievement. But this confederacy was greatly strengthened by the alliance of another and still more powerful body, the Catholic priesthood of Ireland. The sympathy which the clergy have manifested in the efforts of the Association, and the political part which they have lately played, are to be referred, in a great measure, to the influence of a very greatly gifted man. Doctor Doyle, the Catholic Bishop of Kildare and Leighlin, is certainly among the most remarkable men who have appeared in this strange state of things, and has most essentially contributed to the moral and

\* O'Connell's voice was deep, sonorous, and manageable. Its transitions from the higher to the lower notes were wondrously effective. He rather affected a full Irish pronunciation, on which was slightly grafted something of the accent which, in his youth, he had involuntarily picked up in France. No man had a clearer pronunciation—at times, it even went to the extent of almost syllabicizing long words. He could speak for a longer time than most men, without pausing to take breath. When making a speech, his mouth was very expressive. In his eyes (of a cold, clear blue), there was little speculation, but the true Irish expression of feeling, passion, and intellect, played about his lips. Looking at him, as he spoke, an observer might note the sentiment about to issue from those lips, before the words had utterance—just as we see the lightning-flash before we hear the thunder-peal.—M.

political feeling which has grown up among the people.\* He was educated at a university in Portugal, where it was not very likely that he would contract any very ardent attachment to freedom, but his original love of his country overcame the theology of Coimbra, and he returned to Ireland with a mind deeply imbued with learning, fraught with eloquence, and burning with patriotism.

He was for some time a professor in the Ecclesiastical College at Carlow, and, before he was made a bishop, was unknown as a politician. But the crosier had been scarcely

\* The Reverend James Doyle, D. D., was an Irishman, who, being intended for the Catholic priesthood, received his education at Coimbra, in Portugal, whence he removed on being appointed Professor of Theology to the College of Carlow. In 1819, and before he was forty years old, he was made Catholic Bishop of Kildare and Leighlin—being the youngest man ever raised to the prelate in Ireland. His erudition was great and his controversial skill soon became eminent. In 1823, Dr. Magee, Protestant Archbishop of Dublin, published a charge to his clergy, in which he warned them of the assaults on Protestantism from Catholics and Dissenters—or, as he chose to express it, from “a church without religion, and a religion without a church.” This antithesis provoked Dr. Doyle, who replied to Dr. Magee in a cutting and learned work, showing that the Protestant Church was itself a usurpation, that its Bishops were usurpers, and that the Apostolical Succession could not properly be traced by or for them through the Catholic Church. Dr. Doyle signed this “J. K. L.” the initials of his prelatic signature, “James Kildare and Leighlin,” and his future publications, which were numerous, bore the same distinguishing letters.—He was much in favor of Poor Laws for Ireland, and succeeded in converting Mr. O’Connell to his opinion. When that gentleman returned to his original opposition to Poor Laws, Dr. Doyle publicly declared that a man so unstable in opinion was unsuited for a great popular leader. It was in noticing this that O’Connell declared that “Consistency was a rascally doctrine.” Dr. Doyle was a firm believer in the miracles said to have been wrought by or through the instrumentality of Prince Hohenloe.—Dr. Doyle’s evidence, before a Committee of the House of Lords, in 1825, on the state of Ireland, attracted great attention then, and for years after, and tended much to extend his reputation as a close observer and philosophical reasoner. He died, June 15, 1834, at Braganza House, near Carlow, a mansion which had been purchased as a residence for the Catholic Bishops of the diocese. He had furnished this at his own expense, and bequeathed the contents of this house, including his library, to his successor. He had succeeded in building, in Carlow, one of the finest Cathedrals in Ireland, obtaining the necessary funds by much self-privations, and by unwearied solicitations of the wealthy, and his mortal remains were interred within the walls of this beautiful and hallowed fane.—M.



placed in his hands when he raised it in the cause of his country. He wrote, and his writings were so strikingly eloquent in diction and powerful in reasoning, that they at once invited the attention of the public. He fearlessly broached doctrines which not only startled the Government, but gave alarm to some of the hoary professors at Maynooth. In the following passage in his letter to Mr. Robertson, after speaking of the likelihood of a rebellion and a French invasion, he says: "The Minister of England can not look to the exertions of the Catholic priesthood: they have been ill-treated, and they may yield for a moment to the influence of nature, though it be opposed to grace. This clergy, with a few exceptions, are from the ranks of the people; they inherit their feelings; they are not, as formerly, brought up under despotic governments; and they have imbibed the doctrines of Locke and Paley, more deeply than those of Bellarmin, or even of Bossuet, on the divine right of kings. They know much more of the principles of the constitution than they do of passive obedience. If a rebellion were raging from Carrickfergus to Cape Clear, no sentence of excommunication would ever be fulminated by a Catholic prelate."

This announcement of what is now obviously the truth created a sort of consternation. Lord Wellesley, it is said, in order to neutralize the effects of this fierce episcopal warning, appealed to Maynooth; and from Maynooth there issued a document in which it is well understood that the students and even the President, Dr. Crotty, did not agree, but to which names of five of the theological professors were attached. The persons who were mainly instrumental in getting up a declaration in favor of passive obedience (which is, however, more mitigated than the famous proclamation of servility which issued from the University of Oxford) were two old French doctors of Sorbonne, who had found bread in the Irish College, Monsieur de la Hogue and Monsieur François d'Anglade. These individuals belonged, when in their own country, to the "ancien regime;" and, with a good deal of learning, imported into Ireland a very strong relish for submission. The following was their protest against Dr. Doyle:—

*“Royal Catholic College of St. Patrick, Maynooth.*—In consequence of recent public allusions to the domestic education of the Catholic Clergy, we the undersigned, Professors of the Roman Catholic College of Maynooth, deem it a duty which we owe to Religion and to the country, solemnly and publicly to state, that, in our respective situations, we have uniformly inculcated allegiance to our gracious Sovereign, respect for the constituted authorities, and obedience to the Laws.

“In discharging this solemn duty, we have been guided by the unchangeable principles of the Catholic Religion, plainly and forcibly contained in the following precepts of St. Peter and St. Paul :

“‘Be ye subject, therefore, to every human creature for God’s sake ; whether it be to the King, as excelling, or to governors sent by him, for the punishment of evil-doers, and for the praise of the good : for so is the will of God, that by doing well you may put to silence the ignorance of foolish men, as free and not as making liberty a cloak for malice, but as the servants of God. Honor all men. Love the brotherhood. Fear God. Honor the King——For this is thanks-worthy, if for conscience toward God a man endures sorrows, suffering wrongfully. For what glory is it, if committing sin, and being suffering for it, you endure ? But if doing well you suffer patiently, this is thanks-worthy before God.’ 1st Ep. of St. Peter, c. ii.

“‘Let every soul be subject to higher powers : for there is no power but from God ; and those that are, are ordained of God. Therefore, he that resisteth the power, resisteth the ordinance of God. And they that resist, purchase to themselves damnation. For Princes are not a terror to the good work, but to the evil. Wilt thou, then, not be afraid of the Power ? Do that which is good, and thou shalt have praise for the same.——Wherefore be subject of necessity, not only for wrath, but also for conscience sake.’ Ep. to the Rom. c. xiii.

“Our commentaries on these texts can not be better conveyed than in the language of Tertullian : ‘Christians are aware who has conferred their power on the Emperors : they know it is God, after whom they are first in rank, and second to

no other. From the same Source which imparts life they also derive their power. We Christians invoke on all the Emperors the blessings of long life, a prosperous reign, domestic security, a brave army, a devoted senate, and a moral people.’—Apology, chap. 30.

“Into the sincerity of these professions we challenge the most rigid inquiry; and we appeal with confidence to the peaceable and loyal conduct of the Clergy educated in this Establishment, and to their exertions to preserve the public order, as evidence of the soundness of the principles inculcated in this College. These principles are the same which have been ever taught by the Catholic Church; and if any change has been wrought in the minds of the Clergy of Ireland, it is, that religious obligation is here strengthened by motives of gratitude, and confirmed by sworn allegiance, from which no power on earth can absolve.”

Such was the Sorbonne manifesto, which, notwithstanding the awful names of La Hogue and d’Anglade, was laughed at by the Irish priesthood. The reputation of Doctor Doyle was more widely extended by this effort of antiquated divinity to suppress him; and the Government found additional proofs in the result of his publication of the unfortunate truths which it contained.

J. K. L., the name by which Dr. Doyle is generally known, and which is composed of the initials of his titular designation, threw into the Catholic Association all the influence of his sacred authority; and, having openly joined that body, increased the reverence with which the people had previously considered its proceedings, and imparted to it something of a religious character. The example which was given by Doctor Doyle was followed by other dignitaries of the Church, of whom the most remarkable are Doctor Murray, the Archbishop of Dublin, and Doctor Kelly, the Bishop of Waterford.

Doctor Murray is the successor of the late Doctor Troy.\*

\* The Right Reverend Thomas Troy, D. D., Roman Catholic Archbishop of Dublin, was born July 7, 1739, and died May 11, 1823. It is curious and historically instructive, to compare this prelate’s poverty with the wealth of some of the Protestant hierarchy. The personal property left by *each* of the last three



That excellent ecclesiastic had for many years presided over the see of Dublin, rather with the prudence and caution which had been acquired in times of political oppression, than with the energy and determination which became the augmenting power of the Catholic body. He had acquired his habits at an epoch, if not of servility, of oppression, and had been accustomed to accomplish, by dexterous acquiescence, what would now be insisted upon as a right. During the Irish rebellion he is said to have shown great skill; and, by his influence at the Castle, prevented the Roman Catholic chapels from being closed up. He was accounted a good divine, but had neither the faculty of composition nor of speech. He had received his education at Rome, and was a member of the order of St. Dominic. He had the look, too, of a holy *bon-vivant*, for he was squat and corpulent, had a considerable abdominal plentitude, and a ruddy countenance, with a strong determination of blood to the nose. Yet his aspect belied him, for he was conspicuous for the simplicity and abstemiousness of his life; and although Lord Norbury, observing Mr. Æneas M'Donnell descending the steps of his house, exclaimed, "There is pious Æneas coming from the sack of Troy," and by the celebrity of the pun extended to the Doctor a renown for hospitality, the latter had scarcely the means of supporting himself in a manner consistent with his clerical station. He died in exceeding poverty, for one guinea only was found in his possession. This arose partly from the narrowness of his income, and partly from his generous disposition. He had about eight hundred pounds a-year, and expended it on the poor.

This good man was succeeded by the present Archbishop of Dublin, Doctor Murray.\* He was educated in the University

Archbishops of Armagh was over two hundred thousand pounds sterling. The income of the Bishopric of Derry which is now *only* four thousand five hundred pounds sterling a year! was formerly twenty thousand—more, in fact, than that of the Archbishopric of Tuam. Therefore when the Earl of Bristol, Bishop of Derry, had the offer of the arch-diocese of Tuam, his significant reply was "I prefer *meum* to *tuum*." As a general rule, the Protestant bishops leave much wealth behind them, and the Catholic prelates accumulate nothing.—M.

\* The late Archbishop Murray was respected by all classes and creeds for his liberality of opinion and his practical common sense. He was well appre-

of Salamanca, but his mind is untarnished by the smoke of the scholastic lamp, and he has a spirit of liberty within him which shows how compatible the ardent citizen is with the enthusiastic priest. His manners are not at all Spanish, although he passed many years in Spain under the tuition of Doctor Curtis, the Catholic Primate, who was professor of theology in Salamanca,† and is one of its peculiar “Bachelors.” Doctor Curtis is almost more Spanish than the Spanish themselves, for he has a restlessness of gesture, and a flexibility of the physiognomical muscles, which surpass the vivacity of Andalusia, and with one finger laid upon his nose, with his eyes starting from his head, and with the other hand quivering like that of a Chinese juggler, he presents the most singular spectacle of episcopal vividness, at the age of ninety-one, which I have ever seen.

His pupil and brother-Archbishop of Dublin is meek, composed, and placid, and has an expression of patience, of sweetness, and benignity, united with strong intellectual intimations, which would fix the attention of any ordinary observer who chanced to see him in the public way. He has great dignity and simplicity of deportment, and has a bearing befitting his rank without the least touch of arrogance. His voice is singularly soft and harmonious; and even in reproof itself he does

ciate by successive Viceroys, since 1829—even the most intolerant of them respecting a man who wielded immense power, but avoided all misdirection of it. Like his predecessor, Dr. Troy, he died poor.—M.

\* Dr. Curtis, Catholic primate of Ireland, had held a high official position in Salamanca, when the Duke of Wellington was battling with the French, in the Peninsula, and had rendered such essential services to his Grace, that, after the war was over, they continued to correspond, as friends. In December, 1828, when O’Connell’s election for Clare had brought on a crisis, he wrote to the Duke, pressing Catholic Emancipation on him, as a necessity. The Duke’s reply was dubious—he did not see how the desiderated measure could *then* be granted, and he recommended that the question “be buried in oblivion” for a time, so that men might calmly consider it! Dr. Curtis sent this letter to the Marquis of Anglesea, who took it as involving a sort of promise to do “justice to Ireland” and wrote a reply, accordingly, urging that the question be agitated, and not buried in oblivion. For this expression of his opinions he was recalled—but, in less than two months, Wellington came before the country, with a proposal, on the part of the Government, to grant the Catholic claims.—M.

not put his Christian gentleness aside. His preaching is of the first order. It is difficult to hear his sermons upon charity without tears; and there is, independently of the charms of diction and the graces of elocution, of which he is a master, an internal evidence of his own profound conviction of what he utters, that makes its way to the heart. When he stands in the pulpit, it is no exaggeration to say that he diffuses a kind of piety about him; he seems to belong to the holy edifice, and it may be said of him with perfect truth—

“At church, with meek and unaffected grace,  
His looks adorned the venerable place.”

It is obvious that such a man, attended by all the influence which his office, his abilities, and his apostolic life, confer upon him, must have added great weight to the proceedings of the Association, when, with a zeal in patriotism corresponding with his ardor in religion, he caused himself to be enrolled among its members. “The contemplation of the wrongs of my country” (he exclaimed, at a public meeting held in the beautiful and magnificent Catholic Cathedral in Marlborough street, Dublin)—“the contemplation of the wrongs of my country makes my soul burn within me!” As he spoke thus, he pressed to his heart the hand which the people were accustomed to see exalted from the altar in raising the Host to heaven. His fine countenance was inflamed with emotion, and his whole frame trembled under the dominion of the vehement feeling by which he was excited.

These are the men whom our Government, in its wisdom, have placed in alienation from the state, and whose character has been sketched in the passage which I have quoted from the works of Doctor Doyle. The other eminent ecclesiastic who contributed greatly to augment the power of the Association, was Doctor Kelly, the terror of the Beresfords, and the author of Mr. Villiers Stuart. This able man, the Becket of Ireland, was imported to us from America.

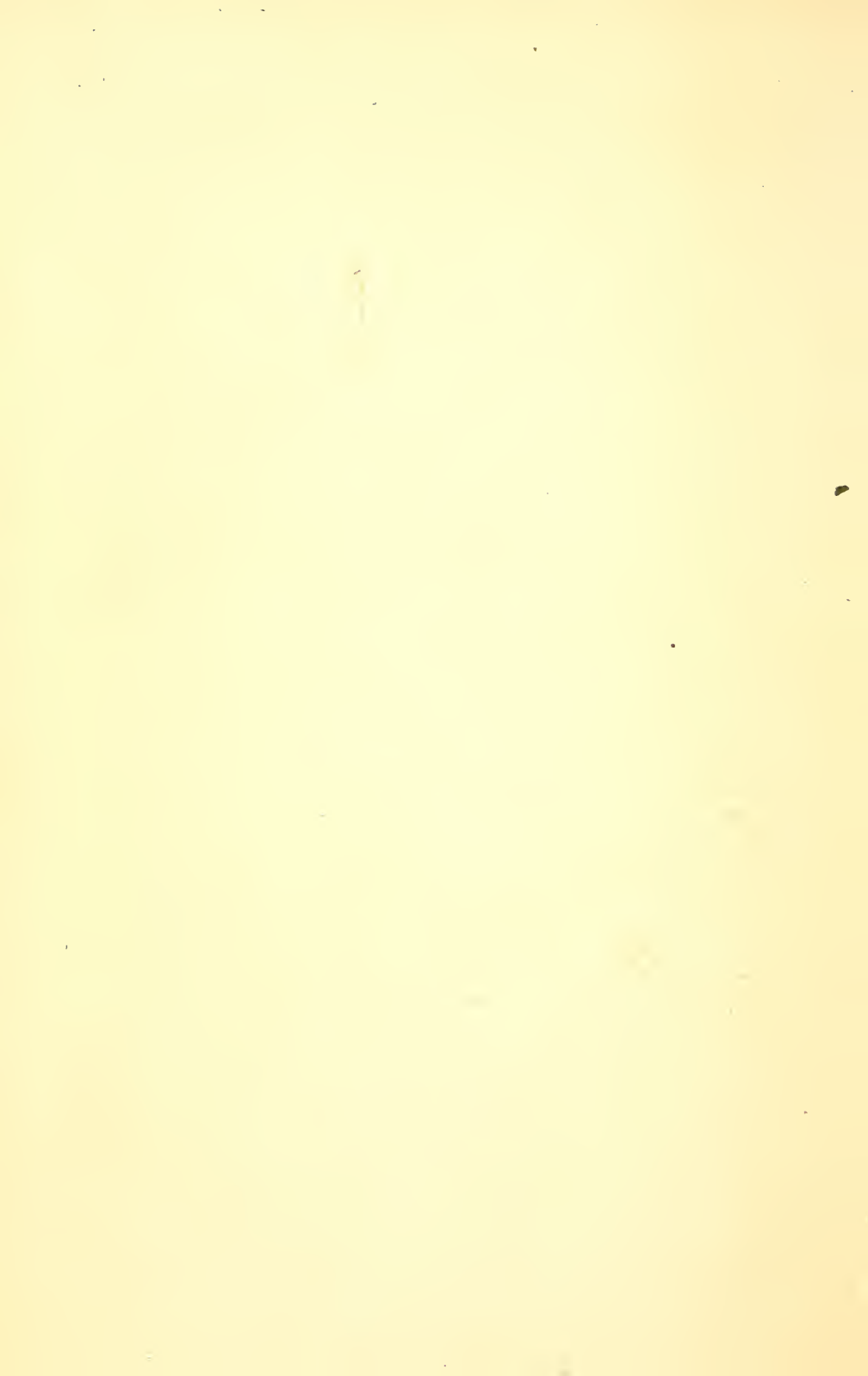














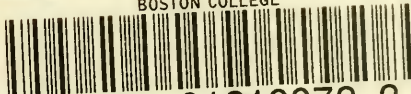
*Sheil* Date Due

3301





BOSTON COLLEGE



3 9031 01210072 3



